

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROWNE of Wisconsin: A bill (H. R. 11700) granting a pension to Sarah Jane Warren; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 11701) granting a pension to William D. Miller; to the Committee on Pensions.

Also, a bill (H. R. 11702) granting a pension to John S. Combs; to the Committee on Pensions.

By Mr. MUDD: A bill (H. R. 11703) granting a pension to Rosanora Capito; to the Committee on Invalid Pensions.

By Mr. NEWTON of Missouri: A bill (H. R. 11704) for the relief of Charles T. Grady; to the Committee on Claims.

Also, a bill (H. R. 11705) for the relief of Eugene Henry Lever; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5661. By Mr. FULLER: Petition of the Peoria (Ill.) Farm Bureau, the Pekin (Ill.) Association of Commerce, the Tazewell County (Ill.) Farm Bureau, and the American Distilling Co., favoring a duty of 10 cents per gallon on blackstrap molasses; to the Committee on Ways and Means.

5662. Also, resolutions of the Associated Cooperage Industries of America for legislation to abolish the Railroad Labor Board; to the Committee on Interstate and Foreign Commerce.

5663. Also, resolutions of Homestead Aerie No. 769, Fraternal Order of Eagles, favoring modification of the Volstead Act; to the Committee on the Judiciary.

5664. Also, petition of the Illinois League of Women Voters favoring House bill 11490 to enlarge the powers and duties of the Department of Justice, etc.; to the Committee on the Judiciary.

5665. By Mr. GALLIVAN: Petition of Mrs. George R. Fearling, 168 Beacon Street, Boston, Mass., and George Washington University, Washington, D. C., recommending passage of House bill 11490; to the Committee on the Judiciary.

5666. Also, petition of Joseph Middleby, jr. (Inc.), Boston, Mass., recommending certain changes in House bill 7456; to the Committee on Ways and Means.

5667. By Mr. KISSEL: Petition of Graham Talking Machine Co., Brooklyn, N. Y., relative to the Kelly-Stephens better business bill; to the Committee on Interstate and Foreign Commerce.

5668. Also, petition of Lawrence W. Luellen, New York City, N. Y., relative to the patent laws; to the Committee on Patents.

5669. Also, petition of Mississippi Valley Association, St. Louis, relative to certain public projects; to the Committee on Appropriations.

5670. By Mr. TAYLOR of Colorado: Petition from freight shippers of Leadville, Colo., protesting against passage of the Sweet-Capper bills; to the Committee on Interstate and Foreign Commerce.

SENATE.

FRIDAY, May 19, 1922.

(Legislative day of Thursday, April 20, 1922.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

NAMING A PRESIDING OFFICER.

The Secretary (George A. Sanderson) read the following communication:

UNITED STATES SENATE.
PRESIDENT PRO TEMPORE,
Washington, D. C., May 19, 1922.

To the Senate:

Being temporarily absent from the Senate, I appoint the Hon. GEORGE H. MOSES, a Senator from the State of New Hampshire, to perform the duties of the Chair this legislative day.

ALBERT B. CUMMINS,
President pro tempore.

Mr. MOSES thereupon took the chair as Presiding Officer.

PETITIONS AND MEMORIALS.

Mr. ROBINSON. I present a petition from citizens and business men of Jonesboro, Ark., protesting against the proposed tax on kid gloves and urging a reduction in the duty. I move that it be referred to the Committee on Finance.

The motion was agreed to.

Mr. CAPPER presented resolutions adopted by the Central Reading Club and the Visiting Nurse Association, both of Kansas City, Kans., favoring the enactment of legislation creating a department of education, which were referred to the Committee on Education and Labor.

Mr. TOWNSEND presented petitions of sundry citizens of Beaverton, Carson City, Middleton, Ithaca, Davison, Flint, Gagetown, Pigeon, Bay Port, Owendale, Elkton, Swartz Creek, Durand, Turner, Au Gres, Mason, Twining, Saginaw, Fairgrove, Akron, Gilford, Reese, Bay City, Caseville, Unionville, Carleton, Waltz, Mount Clemens, Essexville, Hampton, and Linwood, all in the State of Michigan, praying for the imposition of a tariff duty of \$2 per hundred pounds on Cuban sugar, which were referred to the Committee on Finance.

He also presented petitions of sundry citizens of St. Johns, Lansing, Williamston, Elsie, Ovid, Pottersville, Charlotte, Eaton Rapids, Grand Ledge, Perry, Fowlersville, Mason, Flint, Dansville, Leslie, Eden, Olivet, Vermontville, Bellevue, Webberville, Oakley, Chapin, Vernon, Corunna, Owosso, Carland, Burton, North Star, Ashley, Bennington, Laingsburg, and Flushing, all in the State of Michigan, praying for the passage of an adequate tariff law protecting farm products with duties at least as high as those contained in the so-called emergency tariff, which were referred to the Committee on Finance.

Mr. WILLIS presented the petition of Florence Maurer and sundry other citizens of Canton, Ohio, praying for the imposition in the pending tariff bill of only a moderate duty on kid gloves, which was referred to the Committee on Finance.

He also presented the petition of Jake Bauman, of Perrysburg, and sundry other citizens of Perrysburg, Walbridge, and Lime City, all in the State of Ohio, praying for the imposition of a tariff duty of \$2 per 100 pounds on Cuban sugar, which was referred to the Committee on Finance.

Mr. SUTHERLAND presented a petition of sundry citizens of Salem, W. Va., praying for the prompt passage of an adequate protective tariff law based on American valuations, which was referred to the Committee on Finance.

He also presented a memorial of sundry citizens of Elm Grove, Wheeling, Wellsburg, Bridgeport, Martins Ferry, Moundsville, Brookside, Bellaire, and Warwood, all in the State of West Virginia, remonstrating against proposed increased duties on household and dress linens, which was referred to the Committee on Finance.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McCUMBER:

A bill (S. 3626) for the relief of Clement A. Lounsberry; and A bill (S. 3627) for the relief of Michael Maher (with accompanying papers); to the Committee on Military Affairs.

By Mr. JOHNSON:

A joint resolution (S. J. Res. 200) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

TARIFF BILL AMENDMENT.

Mr. MOSES (Mr. CAPPER in the chair) submitted an amendment, intended to be proposed by him to House bill 7456, the tariff bill, which was referred to the Committee on Finance and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House had passed a bill (H. R. 11152) to authorize the Bear Mountain Hudson River Bridge Co. to construct and maintain a bridge across the Hudson River near the village of Peekskill, State of New York, in which it requested the concurrence of the Senate.

AFFAIRS IN HAITI.

Mr. BORAH. Mr. President, I ask permission to have printed in the RECORD in 8-point type a statement by a distinguished Haitian lawyer upon the Haitian situation. The article is very brief. I will not ask to have it read, but simply that it may be inserted in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD in 8-point type, as follows:

HAITI'S APPEAL TO AMERICANS.

(By Prof. Pierre Hudicourt.)

This article embodies the more important parts of an address delivered by Professor Hudicourt at a Popular Government League luncheon in Washington, February 2, 1922. The Advocate of Peace prints it in justice to the Haitian people, who are under obvious handicaps in presenting their side of the debate on conditions in Haiti to the American people.—The Editor.

Mr. Chairman, ladies, and gentlemen, it is my privilege to express to-day before an American gathering the sentiments of the entire Haitian people toward the people of America. This sentiment is entirely one of confidence and friendliness. Living on the same hemisphere, having enjoyed, like you, the benefits derived from an independence conquered at the high price of prolonged suffering and bloodshed when we threw off the yoke, not of one, but of three Old World powers who were successively determined to keep us enslaved, the Haitian people have always had the same aspirations as yourselves and the same love of liberty and independence. Six and a half years ago this liberty, achieved by our forefathers not long after your own, was taken from us by the military forces of the United States.

Well, to date, the Haitian people have never held the American people responsible for the miseries inflicted by your military forces, acting, as we have always believed, under the inspiration of commercial and financial interests and not authorized by the Congress of the United States. And it is for this reason that the Haitian people have not hesitated to appeal to what they still believe is the tradition and the heritage of your country. And in this connection a few words about our own history may be pertinent.

EARLY DANGERS NUMEROUS.

The day after the proclamation of independence of the Republic of Haiti, on the 1st of January, 1804, our country, ravaged by 14 years of bitter struggle, was confronted with all kinds of financial difficulties, which seriously handicapped our economic development. We were in constant fear of invasion by France, and our difficulties with that country were only solved by the payment of the heavy indemnity of 90,000,000 francs, the interest of which proved a heavy burden. For the following 100 years Haiti continued more or less isolated. Your country itself did not recognize our independence until the administration of that immortal friend of mankind, Abraham Lincoln. We had our internal dissensions and our revolutions, and candor compels me to admit that in a few years before the American occupation they were frequent. But, nevertheless, they were Haiti's own affairs, because in these disturbances no foreigners were ever injured. We are proud and happy to say that under Haitian governments no American life was ever lost. It is important to remember also that throughout all these years the Haitians scrupulously paid the interest on their external and internal debt; that is more than several of your own Southern States did. I think I am not mistaken that a number of them repudiated their financial obligation some years after your Civil War. Please always remember this when you hear talk of anarchy in Haiti.

PEOPLE PROTESTED AMERICAN ACTIONS.

Now, whatever the conditions were in Haiti, the Haitian people are united in protesting that there was no justification for the landing and maintenance of American forces on Haitian soil since 1915; for the seizure by American marines of our customhouses, and indeed of all our revenues; for the dissolution of our legislative bodies; for the use of coercive measures to force an unwelcome and undesired treaty upon the country; and to compel us to adopt a constitution by totally illegal means. Under Haitian civil law, and I am sure under American law, as indeed under law everywhere, an agreement between individuals is not binding unless the consent of both parties has been freely obtained. Three causes are recognized by jurisprudence as vitiating the consent, viz, violence, error, and fraud. If one of these causes exists the agreement is null and void. These same conditions which apply to a civil agreement are required also by international law for any international agreement. It is our contention and our belief, therefore, that the convention of 1915 which holds Haiti to-day is null and void, and should be so declared.

THE FACTS.

It is not my desire or my purpose as a guest in your country to be critical of its actions. The facts themselves tell what has occurred; but I think I am justified in pointing out that these facts indicate that America's action in Haiti was contrary, first, to the formal agreement signed on the 18th of October, 1907, at the second Hague Peace Conference, of which Haiti is a signatory, relating to the necessary formalities which are to be carried out in case of a declaration of war, for America's acts against Haiti, while never so declared, were in reality acts of war.

Second, America's action was contrary to the formal agreement signed on October 18, 1907, at the second Hague Peace Conference, of which Haiti is also a signatory, relating to the peaceful settlement of international disputes.

Third, Contrary to the special agreement entered into on the 7th of January, 1909, between the United States of America and Haiti, providing for the submission to the permanent court of arbitration established at The Hague by the convention of July 26, 1890, of all differences of a legal nature which may arise between the two countries.

Fourth, It is contrary to the entire spirit of the Monroe doctrine, the first purpose of which was to defend the weaker nations of America from attack by the stronger.

America's action is contrary to the immortal principles laid down in the American Constitution, which constitutes for the present time the vade mecum of all democracies.

AMERICAN VIOLATION OF AMERICAN PRINCIPLES.

America's action against Haiti's independence and sovereignty is contrary to the decisions of America's Supreme Court, based upon certain fundamental principles of international law, as set forth in the declaration of the rights and duties of nations adopted by the American Institute of International Law on January 6, 1916, as follows:

1. Every nation has the right to exist and to protect and to conserve its existence; but this right neither implies the right nor justifies the act of the State to protect itself or to conserve its existence by the commission of unlawful acts against innocent and unoffending States.

2. Every nation has the right to independence in the sense that it has a right to the pursuit of happiness and is free to develop itself without interference or control from other States, provided that in so doing it does not interfere with or violate the right of other States.

3. Every nation is, in law and before law, the equal of every other nation belonging to the society of nations, and all nations have the right to claim and, according to the Declaration of Independence of the United States, "to assume among the powers of the earth the separate and equal station to which the laws of nature, and of nature's God entitle them."

4. Every nation has the right to territory within defined boundaries and to exercise exclusive jurisdiction over its territories and all persons, whether native or foreign, found therein.

5. Every nation entitled to a right by the law of nations is entitled to have that right respected and protected by all other nations, for right and duty are correlative, and the right of one is the duty of all to observe.

6. International law is at one and the same time both national and international; national in the same sense that it is the law of the land and applicable as surely to the decision of all questions involving its principles; international in that sense that it is the law of the society of nations, and applicable as surely to all questions between and among the members of the society of nations involving its principles.

DOUBTFUL GOOD FAITH OF DECLARATIONS.

Now, what are the motives behind the American occupation? Not being in touch with the State Department and the Navy Department of your country, I can not say. The treaty which was imposed upon Haiti against its will specifically states:

That the United States has no aim except to insure, establish, and help maintain Haitian independence and the establishment of a firm and stable government by the Haitian people.

Well, gentlemen, to date there has not been the slightest evidence in Haiti of any such purpose. Not only has the United States failed to carry out a single provision of the treaty which it composed and imposed, but every move has been contrary to Haiti's interests, contrary to the fundamental ideas of democratic government, and designed apparently merely to aid American investors. If it were the intention of the United States to "aid the establishment of a firm and stable government" by the Haitian people, why did the United States dissolve and abolish all forms of representative government in our country? Does anyone here think that the Haitian people would be aided by holding them under martial law, by preventing elections, and by giving us every day visible proof of the utter contempt for the laws which the United States itself was responsible for at the hands of its military and civil officials? Indeed, an election of a president under the constitution which was written for us, according to his own boast, by Franklin Roosevelt, has been due, but by orders of the Marine Corps no such election has been held. The president who has been elected with the assistance of the Marine Corps should end his term next May, and no one in Haiti to-day among the Haitians knows whether it is the purpose of your Government illegally to extend his term, illegally to appoint another president to office, or, indeed, has the slightest inkling of what the future holds.

AMERICANS SEEK CHEAP LABOR.

We are a conquered and helpless people. The United States has abolished every real form of self-government. The presi-

dent himself is a mere figurehead, a device of the occupation to give an appearance of legality and of democratic sanction to its own acts. We are at the mercy of the arbitrary acts of every marine private, of every small civil official. We have neither recourse in law nor the right of appeal, even to higher authorities in the United States. Why do the American interests want Haiti? For one thing, labor is cheaper there than almost any other place on earth. It can be obtained for the sum of 20 cents a day, a fact enthusiastically boasted of in a recent prospectus of the Haitian-American Sugar Co., when it was trying to float a loan in the United States. This prospectus pointed out that the average daily wage in Cuba was \$1.75; in Haiti, 20 cents. The president of the United West Indies Corporation, another large American development company, which has acquired vast tracts of land since the Franklin Roosevelt constitution permitted strangers to acquire it, testified recently before the senatorial commission of inquiry:

We would not invest capital in Haiti if we could only get 9 or 10 per cent out of it. We believe that the prospects for investment of capital in Haiti are far in excess of 10 per cent.

Now, what are these development companies doing and planning to do? They are planning by one means or another to push the little Haitian landowner off his land, the land that he has held and cultivated from father to son since our war of independence, when the great slave-holding estates were distributed among the peasants.

Having deprived them of their land, they will force these people, who have always been happy and contented, who by virtue of having a little piece of land all their own have never known want—to force these people, I say, to become homeless itinerant day laborers, working at the glorious wage of 20 cents a day in the seasons when work is provided—that is to say, for only 6 months out of the 12. During the other six months, robbed of their little property, God knows what they will do. You will, therefore, you who have supposedly come to help us, have introduced the American wage system and American unemployment in Haiti.

HAITI OPPOSES PROPOSED LOAN.

In this connection I want to say a final word on a matter which I consider of paramount importance in obtaining a just settlement of the Haitian situation. While a senatorial commission of investigation was still on its way to Haiti on what purported to be the first serious investigation of the events of the last six years, and while a resolution, I am happy to say, has been introduced by Senator KING, of Utah, who was formerly a member of that commission, calling for the withdrawal of the American occupation and the abrogation of the treaty which gives America complete financial control of the island, the American occupation is negotiating with American bankers for a large loan with Haiti. Under the terms of this loan, which is made subject to the convention of 1915, the Haitian finances will be subject to American control for 30 years. I think I may say that it is the hope of those Americans who desire to perpetuate the American hold on Haiti to have this loan an accomplished fact at the earliest possible moment, so that the question of abrogation of the treaty will be still further complicated. Haiti does not want this loan. Haiti does not need this loan. But in any event I desire to protest emphatically against the consummation of that loan while the entire Haitian question is sub judice. The Haitians desire the immediate return of their independence and sovereignty. Let them, then, if they feel that they need a loan, negotiate it freely upon such terms as they are able to secure. If the free Haitian Government should be willing to pledge a certain part of its revenues against such a loan, it can do so. But the loan now contemplated, like every other action based upon the illegal occupation, we repudiate in principle, and we object to it vehemently as an attempt to perpetuate the conditions which now exist. To these conditions the Haitian people will never consent. We have been a patient people. We have waited for six years in the hope and belief that the United States would render justice. We have not yet abandoned that hope, and we shall never abandon our determination to regain the freedom which is our birthright.

THE M'CORMICK COMMISSION.

Now, finally, I want to protest with all the emphasis of which I am capable, in the name of your own immortal principles, against the decision rendered recently by a senatorial commission which went to Haiti supposedly to investigate conditions there. That commission had spent some weeks in the United States listening to the testimony of marine officers and bankers interested in Haiti. When it came to hear the Haitian side, to hear the story of six years of tyranny, it spent actually only five days on the island, of which but one and a half was

devoted to taking testimony. The rest of that time was largely spent in the company of the Marine Corps and of American investors. Immediately on its return, although the commission had announced in Haiti that the case was by no means closed and that hearings would continue, it rendered a decision in a preliminary report. This report recommended that the marines stay in Haiti; that there be no abrogation of the convention; that a high commissioner, who would be a virtual dictator, should coordinate the various civil and military functions; and that the loan must be put through at once. Now, if this is "the establishment of a firm and stable government by the Haitian people," I leave it to your sober judgment. For my part, if the United States desires to annex Haiti, to make it an American colony, of which America's every single act affords convincing evidence, why not say so? Why continue the sham and the hypocrisy of pretending, against the will of the entire Haitian people, that you are there for philanthropic reasons? As I said, the Haitian people have been a patient people. They are a good and kindly people. But once they lose all hope in the honor of the United States I do not know what may ensue. I ask those of you who believe in the rights of liberty and independence for small countries what your course would be?

ADJUTANT GENERAL PETER C. HARRIS.

Mr. SHEPPARD. Mr. President, Maj. Gen. Peter C. Harris has about completed his term of four years as Adjutant General of the United States Army. During that time he has labored most devotedly, working day and night, including Sundays, and has made a most enviable record.

I have here a statement by the War Department relative to his service, a memorandum which he submitted prior to his retirement, and a memorandum covering his service, based on the records, which I have had prepared. I ask to have these printed in the RECORD.

There being no objection, the memoranda submitted by Mr. SHEPPARD was ordered to be printed in the RECORD, as follows:

WAR DEPARTMENT STATEMENT RELATIVE TO RETIREMENT OF MAJ. GEN. PETER C. HARRIS.

The application of Maj. Gen. Peter C. Harris for retirement under provisions of law upon expiration of his four-year detail as Adjutant General of the Army on August 31, 1922, has been approved. General Harris has also been granted leave of absence with permission to go abroad from April 1, 1922, until the date of his retirement.

General Harris was assigned to The Adjutant General's Department in 1912 and appointed The Adjutant General on September 1, 1918. For his services in this department during the World War, he was awarded the distinguished service medal by our Government, the Legion of Honor (commander) by France, and the Order of the Crown (commander) by Italy. The citation of the distinguished service medal follows:

"For exceptionally meritorious and conspicuous service. During his service in The Adjutant General's Department, his zeal, energy, and judgment have been made manifest by the reforms accomplished in record-keeping systems in the War Department and in the Army." When General Harris took over the office of The Adjutant General of the Army, August 26, 1918, the daily average number of pieces of mail of all classes received in the office was something over 100,000. This daily average rose to more than 200,000 before the signing of the armistice, and during the demobilization period the number received on a single day reached 546,986. The daily average for the fiscal year ended June 30, 1919, was 297,366, as against 75,286 during the fiscal year ended June 30, 1918. For the fiscal year ending June 30, 1916, the last during which normal conditions prevailed, the total number of pieces of mail received was 925,930, a daily average of only 3,025.

To handle work of this magnitude General Harris reorganized his offices and inaugurated a new system of record making and record keeping. As a result, the Government has been saved millions of dollars and The Adjutant General's Office, with a clerical force only twice that authorized for the fiscal year 1917, is to-day handling nearly five times as many letters and memoranda requiring investigation and correspondence as were handled in the office before the World War.

The records of the World War to-day, three years after the signing of the armistice, are far more nearly complete than were those of the Civil War 30 years after its close and are equally as accessible as were the records of the Civil War after they had been carded and assembled in individual jackets at a cost of many millions of dollars.

During the Spanish-American War General Harris was nominated by the President for brevet captain for gallantry in battle at Santiago de Cuba, July 1, 1898.

In addition to duty with troops and in The Adjutant General's Department, General Harris has served on the General Staff and represented the War Department at the Buffalo Exposition.

General Harris was born at Kingston, Ga., graduating from the United States Military Academy in 1888, from the Infantry and Cavalry School in 1895, and from the Army War College in 1908.

STATEMENT TO THE SECRETARY OF WAR BY GENERAL HARRIS ON THE CONDITION OF BUSINESS IN THE ADJUTANT GENERAL'S OFFICE UPON HIS LEAVING.

APRIL 6, 1922.

Memorandum for the Secretary of War:

On the conclusion of my active charge of The Adjutant General's Office I deem it appropriate to advise you briefly of the condition of the work therein.

The number of communications requiring investigation and correspondence remaining on hand at the close of office on March 31, 1922, was 7,553, which is only slightly in excess of the number disposed of daily. The work is thus practically current, it being considered uneconomical to have on hand at the close of a day less than about the number of cases disposed of daily. If all the work were disposed of each day there would be a period at the opening of the following day during which a portion of the office force would not be occupied.

The clerical force (1,053) now employed in the office is less than twice the number (583) authorized for the fiscal year 1917, while the number of communications received daily requiring investigation and correspondence is nearly five times as great as the number of such communications received daily prior to the World War.

In that branch of the office which handles all requests for information from the records of soldiers of the World War there was on hand on March 31 actually less than one day's output, and among the cases on hand was only one that had been received prior to March 31. Contrasting that condition with the condition of work in the branch of the War Department that had custody of the Civil War records after the close of that war, it will be seen that the present system of making and handling records is far superior to that in use during and after the Civil War. On July 8, 1889, 24 years after the close of the Civil War, there remained on hand in that branch of The Adjutant General's Office which corresponds to the branch referred to above 40,654 unanswered requests from the Pension Office, the second auditor's office, and other agencies, and nearly 30 years after that war over 800 clerks were still employed on those records. Although less than three and one-half years have elapsed since the close of the World War, the force of clerks handling similar work has been reduced to 369 and the work itself is current. This condition becomes especially significant in view of the fact that the number of soldiers in the World War was twice as great as the number in the Federal service during the Civil War, and the number of organizations in the World War was approximately as large as the aggregate number of organizations in service during all the other wars in which the United States has participated.

In closing I desire to commend and thank the officers and clerks, without whose intelligent and energetic cooperation the accomplishments referred to would have been impossible.

P. C. HARRIS,
The Adjutant General.

MEMORANDUM ON SERVICE OF MAJOR GENERAL HARRIS AS ADJUTANT GENERAL.

When General Harris came to Washington in 1916 the record-keeping system of the Army and the War Department was substantially the same as in the Civil War.

When the National Guard was called into the service that year for Mexican border duty it took the companies several days, and in some cases weeks, to prepare the muster-in rolls and records in use at that time.

General Harris at once began a study looking to a revision of the records, and as a result of his work the National Guard when called into the service in 1917 were able to prepare in a few hours records that required as many days the year before.

In 1917 General Harris began a revision of the record-keeping system of the Army, beginning with the records of the soldier draft in the company. He extended his system up to and including The Adjutant General's office. To-day, with only twice the number of clerks that were in The Adjutant General's office in 1917, he is handling five times as many communications requiring investigation and correspondence as were handled in The Adjutant General's office in 1917, and this because of the changes in the record-keeping system conceived and put into operation through his individual efforts.

The records of the World War, three years after the signing of the armistice, are more complete and accessible than were the records of the Civil War 30 years after its close.

Thirty years after the close of the Civil War the Congress was still appropriating annually about \$1,000,000 for work on the Civil War records, while to-day the amount available for the World War records is about one-third that amount. This is rendered possible through the changes made by General Harris. These changes also make it possible for The Adjutant General's office, immediately after the close of the World War, to furnish to the Bureau of War Risk Insurance, Auditor for the War Department, Army finance officer, and other relief agencies of the Government information necessary to adjudicate claims of soldiers of the World War. Much of the information now furnished for the soldiers of the World War was not accessible for soldiers of the Civil War until 30 years after its close.

General Harris has made extensive changes and improvements in the system of promulgating orders and instructions to the Army.

The records of The Adjutant General's office to-day are in better shape in every way, and the work is performed more economically than at any other time in the history of the War Department.

Contrary to the general impression, the volume of work in The Adjutant General's Office the last few months of the war and during the period of demobilization greatly exceeded that during 1917 and the early part of 1918.

When General Harris took over the office of The Adjutant General of the Army, August 26, 1918, the daily average number of pieces of mail of all classes received in the office was something over 100,000. This daily average rose to more than 200,000 before the signing of the armistice, and during the demobilization period the number received on a single day reached 546,956. The daily average for the fiscal year ended June 30, 1919, was 287,266, as against 75,286 during the fiscal year ended June 30, 1918. For the fiscal year ended June 30, 1916, the last during which normal conditions prevailed, the total number of pieces of mail received was 925,930, a daily average of only 8,025.

The volume of work handled during the first fiscal year of General Harris's administration was therefore nearly ninety-five times as great as that handled during a normal year, and on several occasions the quantity of mail received on a single day approximated two-thirds of that received during the entire fiscal year ended June 30, 1916.

It soon became evident to General Harris that a radical and immediate reorganization of the office was needed to handle the enormous and rapidly increasing volume of mail.

To illustrate: (1) Enlistment papers or records of enlistment; (2) reports of physical examinations at enlistments; and (3) daily reports of changes which had superseded the bimonthly muster rolls were filed separately (in different rooms) in the basement of the State, War, and Navy Building; (4) medical cards or record of sickness or disability while in the service were filed in a building on the Mall; (5) the

correspondence in one great consolidated file was on the fourth floor of the State, War, and Navy Building; and (6) the reports of casualties and all records and correspondence relating thereto were filed in the Emory Building, First and B Streets NW.

Thus to obtain the complete military and medical record of an enlisted man it was necessary to examine records located, as already stated, in various parts of The Adjutant General's Office; to be exact, in four widely separated rooms of the State, War, and Navy Building and in two other buildings, one on the Mall and the other at First and B Streets NW., each a mile and a half away from the main office.

The several records relating to officers were similarly filed in widely separated rooms of the State, War, and Navy Building and the buildings on the Mall and at First and B Streets NW.

The necessity for segregating the records and correspondence relating to enlisted men in one file and those relating to officers in another file was apparent, and General Harris immediately set to work to bring this about. While he had the assistance of able and faithful clerks of long experience and of two civilian efficiency experts from New York City, General Harris personally directed and supervised the reorganization of the offices, and the system which he installed was conceived and developed by him.

So long as the several classes of records were filed separately, it was necessary that each should contain information duplicated on some or all of the others. After they were segregated, the duplication was eliminated, and two of the records—enlistment paper and report of physical examination—were consolidated. This revision and consolidation, made by General Harris personally, not only increased the efficiency of The Adjutant General's Office but greatly reduced the amount of clerical work involved in the preparation of these records by the Army.

Soon after the reorganization of the offices, the work became and has continued current, notwithstanding the unprecedented number of calls for information from the records received from the Bureau of War Risk Insurance, the Auditor for the War Department, Army finance officers, the Federal Board for Vocational Training, the American Red Cross, and from many other sources, both official and private. As a result of General Harris's work, the records of the World War, to-day, less than three years after the signing of the armistice, are far more nearly complete than were those of the Civil War 30 years after its close, and are equally as accessible as were the records of the Civil War after they had been carded and assembled in individual jackets at a cost of many millions of dollars.

"It is no exaggeration to state that the changes in the record-keeping system, made upon recommendation from this office after the declaration of war, have saved the Government millions of dollars, and, through making it possible to furnish information promptly to the Bureau of War Risk Insurance and other relief agencies previously referred to, have spared our disabled soldiers and the dependent relatives of those who sacrificed their lives in their country's cause untold suffering, misery, and want." (Extract from the Report of The Adjutant General of the Army to the Secretary of War, 1920.)

The efficiency and economy of the new system devised and inaugurated by General Harris is also shown by the fact that with a clerical force of only twice that authorized for the fiscal year 1916, The Adjutant General's Office is handling five times as many letters and memoranda requiring investigation and correspondence and more than 18 times as many reports and records required to be examined and filed as were handled before the World War.

IMPROVEMENTS IN METHOD OF PROMULGATING REGULATIONS, ORDERS, AND INSTRUCTIONS.

In addition to reorganizing The Adjutant General's Office, General Harris has made important and extensive improvements in the method of promulgating regulations, orders, and instructions to the Army. These have greatly reduced the cost of publication and have made more readily accessible the regulations and instructions which officers must consult in the performance of their duties. The change in the method of publishing special orders, for instance, made on November 1, 1918, reduced the cost of printing these orders from \$10,000 per month in September and October to \$3,000 for the month of November, representing a saving of \$7,000 per month. This change also rendered it unnecessary to send advance copies of special orders by telegraph, except in most urgent cases, thus reducing the War Department telegraph bill several thousand dollars per month.

REDUCTION IN PAPER WORK.

General Harris has also revised, in fact revolutionized, the record-keeping system of the Army and has done more to reduce Army paper work than any other person since the establishment of our Government.

HUDSON RIVER BRIDGE.

The bill (H. R. 11152) to authorize the Bear Mountain Hudson River Bridge Co. to construct and maintain a bridge across the Hudson River near the village of Peekskill, State of New York, was read twice by its title.

Mr. CALDER. Mr. President, the Senate has already passed a bill of like character, and I ask unanimous consent that the bill may be considered now.

There being no objection, the bill was considered as in Committee of the Whole, and was read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to Bear Mountain Hudson River Bridge Co., a corporation incorporated by act of the Legislature of the State of New York approved March 31, 1922, its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Hudson River, at a point suitable to the interests of navigation, near the village of Peekskill, County of Westchester, State of New York, in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Sec. 2. That this act shall be null and void, if actual construction of the bridge herein authorized be not commenced within three years and completed within seven years from the date of approval hereof.

Sec. 3. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS B. FELDER.

Mr. WADSWORTH. Mr. President, I am in receipt of a communication from Mr. Thomas B. Felder. It seems that Mr. Felder, although a former resident of the State of Georgia, has been for the last three or four years a resident of the city and State of New York. In the Senate debate several days ago some very serious accusations were made against Mr. Felder's character and record. The letter which he has addressed to me in a sense, and I think in a very true sense, is a reply to some of those charges and contains certain data concerning his record and efforts while a resident of the State of Georgia.

In view of the fact that the charges against him have been printed in the CONGRESSIONAL RECORD and have had that very large distribution of the publication, I think it only fair that his answer to them be given equal publicity; otherwise he is quite unable to defend himself. I ask unanimous consent that his letter may be printed in the RECORD.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New York?

Mr. CARAWAY. Mr. President, I shall not object, but I wish to ask the Senator from New York if he personally indorses the statements in the letter?

Mr. WADSWORTH. I have no method of ascertaining the truth or falsity of any statement that Mr. Felder has made in his letter. Mr. Felder is a constituent of mine, and I met him for the first time about a week ago.

Mr. CARAWAY. Whether his statements are true or false, the Senator does not know?

Mr. WADSWORTH. I have no personal information concerning the controversy whatsoever.

Mr. CARAWAY. I shall not object, but I shall have something to say about it at a later time. I hope the Senator from New York will be present when I do it.

Mr. POMERENE. Mr. President, I of course have not seen the letter which is presented for the RECORD, but there came to my office a letter purporting to have come from Mr. Felder. I believe it was in the nature of a circular letter, typewritten. I know nothing about the controversy in the letter which the Senator presents. The letter which came to my office contained very serious reflections upon two Senators now Members of this body.

Mr. WADSWORTH. I have examined with great care the letter which I have presented, and it mentions no Senator and makes no reflection upon any Senator by inference or otherwise.

Mr. POMERENE. I am quite sure that if the letter presented contained the statements that were in the letter I received no Senator would present it on the floor of the Senate.

Mr. CARAWAY. I wish to say, as I have said to the Senator from New York privately, that to-morrow some time after 12 o'clock I shall have something to say about the matter.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New York? The Chair hears none, and the letter will be printed in the RECORD as requested.

The letter referred to is as follows:

FELDER, CHOROSH & McCROSSIN,
New York, May 12, 1922.

Hon. JAMES W. WADSWORTH, JR.,
Washington, D. C.

DEAR SIR: Charges were recently made against me on the floor of the Senate by Members of that body under the protection of senatorial immunity, as follows:

1. That I am a lobbyist for the liquor ring.
2. That I was indicted in South Carolina.
3. That I was run out of Georgia.

These charges appear in the CONGRESSIONAL RECORD. In the years to come my posterity may be told that the CONGRESSIONAL RECORD shows that their ancestor was guilty of these charges. As an American citizen I am entitled to have the truth appear in the CONGRESSIONAL RECORD.

On the eve of my departure from Georgia to take up my residence in the city of New York there was gathered in the Auditorium in the city of Atlanta more than 5,000 people, including the governor of the State, the United States Senators, and the members of the general assembly, which was about to adjourn after enacting a bone-dry law which I had prepared and which I assisted in putting into effect in Georgia. The meeting was called to celebrate the victory and as a "farewell" to me. Since I took up my residence in New York I have been appointed a coreceiver for the Savannah & Atlanta Railroad and for the Port Wentworth Terminal Co. I still hold these positions of trust and emolument.

Immediately after the charges were made against me on the floor of the Senate I received the following letter from former Gov. N. E. Harris:

"DEAR TOM: I have seen the gratuitous attack on you which occurred yesterday in the United States Senate.

"It was certainly unexpected, so far as I am concerned.

"If you need any word from down this way to show how utterly unjust was the criticism, write or telegraph me at Hampton, Carter County, Tenn., where I go to-morrow. I will return here on the 17th and can see all of our friends to set this matter right.

"You put prohibition into effect in Georgia.

"Yours sincerely,

"N. E. HARRIS."

I spent 12 months in the city of Washington working for the enactment of the eighteenth amendment, after having devoted years to the prohibition cause in my State and other States of the Union. After the adoption of the amendment I received a letter from Bishop H. M. Du Bose, one of the most distinguished bishops of the South Methodist Church, from which I quote:

"I shall always be happy to hear from you and shall not forget to pray for you and for the success of your labors. That you are a God-called man and that He will guide and direct you and give you courage and peace in your work I have no manner of doubt. Your life and loyalty have been an inspiration and comfort to me.

"H. M. Du Bose."

When the war was declared against Germany, prompted by an intense spirit of patriotism and loyalty, I requested the then governor of my State to appoint me colonel of the Third Georgia Regiment; that I intensely desired to fight for my country; that he had offered me positions of honor and trust which I was forced to decline; that I would like to command the Third Georgia Regiment and go over with the Roosevelt expeditionary forces. I was assured that I would receive the commission if the fighting units were raised by the volunteer system. They were not so raised, and I was told thereafter that I was "too old to fight."

Either of the two Senators from South Carolina will verify the statement that I was never indicted in the State of South Carolina. When I left the State of Georgia to take up my residence in the city of New York, "without my knowledge, consent, or procurement," the governor of the State, every judge in the city of Atlanta, including the circuit, city court, and Federal judges, and all of the judges of the supreme court and court of appeals gave me letters from which I quote:

From Governor Harris:

"I have known Colonel Felder for many years. He is regarded in Georgia as one of the ablest lawyers at our bar, a fine advocate, an eloquent, forceful speaker, and is fully competent to handle any case that may be entrusted to him or any matter that may come before him for attention.

"I would have been willing at any time to have given him any appointment within my power, whether on the supreme court, court of appeals, or any other position. On one occasion I offered to give him a place on the court of appeals, but he declined to even consider the same, though I felt that he was fully able to meet any requirement that it would make upon him."

From a letter of Hon. Benjamin H. Hill, now judge of the court of appeals, then judge of the circuit court of the county of Fulton, city of Atlanta:

"I regard him as a very able lawyer, well versed not only in the fundamentals of the profession but abreast of all the important modern decisions.

"As a practitioner in court he has few equals in our State, fluent as a speaker, logical in the presentation of facts and accurate in the apprehension and citation of legal principles governing the issue in cases. He has impressed me as a lawyer of high professional ideals who endeavored to live up to them, thoroughly conscientious in the positions that he takes, and courteous in his deportment to the bench and the bar.

"He has long been regarded by the bench and the bar of this State as deserving confidence and admiration. If he leaves the State of Georgia, I think there will be very universal regret, and his going will be a distinct loss to the profession.

"BENJ. H. HILL."

Letter from Hon. A. E. Calhoun, judge of the city court of Atlanta:

"It gives me pleasure to testify to his splendid character and personal integrity as a man and his high standing in this city and State. As a lawyer he is energetic, able, resourceful, and well equipped. In the courthouse he is especially strong—an eloquent and convincing speaker, and a skillful examiner of witnesses. I consider him one of the best, if not the best, trial lawyers at the Atlanta bar.

"A. E. CALHOUN."

Letter of Hon. William T. Newman, judge of the United States district court:

"He has practiced for a number of years in the court over which I preside, and he is a good lawyer and has maintained an excellent character as a lawyer in this court at all times. I have come to know Mr. Felder very well, both personally and as a lawyer, and have come to like him very much, both in the courthouse and out of it, and I take pleasure in commending him to the consideration of all with whom he may come in contact.

"WM. T. NEWMAN."

Letter from Hon. William H. Fish, chief justice of the Supreme Court of Atlanta:

"I have known Hon. Thomas B. Felder, of Atlanta, Ga., for 20 years, and more. * * * He has practiced regularly in the Supreme Court of Georgia during the entire time that I have been a member of that court; that is, for more than 20 years. My opportunities for forming a correct estimate of Mr. Felder's character and legal ability have therefore been good. He bears the reputation of a gentleman of the highest character, is a lawyer of eminent attainments, and I am sure will most faithfully and efficiently represent any cause which may be entrusted to him.

"WM. H. FISH."

Letter from Hon. Beverly D. Evans, United States district judge for the southern district of Georgia:

"I have been associated with him in the trial of cases; I have presided as judge in the trial and appellate courts where he frequently appeared as counsel. I take pleasure in testifying to his ability as an advocate, his skill as a lawyer, and general trustworthiness. I commend him as a careful, competent, and energetic lawyer.

"BEVERLY D. EVANS."

Letter from Hon. M. W. Beck, judge of the Supreme Court of Georgia:

"He is a distinguished member of the Atlanta bar and has appeared before this court as counsel in numerous cases of importance, and has always represented his clients with marked zeal and ability.

"His distinguished career at the capital city of the State has made him known throughout the entire State of Georgia and the adjoining States. He is a lawyer of wide experience and ability, and now, in the ripeness of his powers, is prepared to render able service in any matters in which he may be retained as counsel.

"M. W. BECK."

Letter from Hon. Peyton L. Wade, chief judge of the Court of Appeals of the State of Georgia:

"My acquaintance * * * has extended over a period of more than 30 years, and it affords me sincere pleasure to bear witness to the deservedly high position he has long occupied at the Georgia bar, and to myself testify to his known legal ability, as exemplified in the trial of many important cases in the Supreme Court and the Court of Appeals of Georgia, as well as to his enviable reputation as an advocate of no mean power in the trial courts."

"PEYTON L. WADE,
"Chief Judge Court of Appeals of Georgia."

Letter from Hon. Jefferson B. Browne, chief justice of the Supreme Court of Florida:

"I have a very warm friend who moved from Atlanta to New York two years ago, Mr. Thomas B. Felder * * *. I have known Felder intimately for the last 20 years, and he is a man of exceptional ability and industry and of the highest integrity."

"JEFFERSON B. BROWNE,
"Chief Justice of Supreme Court, Florida."

Letter from Hon. George L. Bell, judge of the Superior Court of Atlanta, Ga.:

"Mr. Felder has practiced law before all of the courts of the South for a number of years and by his ability, energy, and eloquence has secured a large and varying clientele."

"I bespeak for him the kind consideration of the bench and bar of any locality in which he may cast his lot. He has demonstrated that he is not only an able lawyer but a man of affairs, and has taken a wide interest in the civic development of this State, and wherever he goes his influence for good will be felt."

"GEO. L. BELL."

Letter from Hon. H. M. Reid, judge of the city court of Atlanta:

"Thomas B. Felder, Esq., is a prominent member of the legal profession in this State, resident in this city."

"Mr. Felder's practice has been varied and extensive and he has established a reputation as a lawyer of ability and great resourcefulness in court trials, and occupies a position of eminence in his profession. He is well known throughout the State and is recognized as a man of high character as well as a lawyer of high standing."

"H. M. REID."

I quote from a letter from J. T. Pendleton, circuit court judge:

"Mr. Thomas B. Felder, an able attorney of this bar, is removing to the city of New York for further prosecution of his profession."

"Mr. Felder is an attorney of ability, and will, I am sure, represent with ability any business which may be intrusted to him. He is perhaps entitled to more credit for the recent prohibition laws of Georgia than any other one man in the State."

"J. T. PENDLETON,
"Judge Superior Court, Atlanta."

I quote from Hon. W. D. Ellis's letter:

"Hon. Thomas B. Felder has for many years been a prominent member of the bar of this circuit. He has been connected with several prominent law firms, and has from time to time been engaged, both in the State and Federal courts, in very important litigation. He is an attorney of ability and is very energetic in anything he undertakes to do."

"I am informed that he is about to engage in the practice of law elsewhere, and I wish for him eminent success."

"W. D. ELLIS,
"Judge, Superior Courts, Atlanta Circuit."

I quote from a letter written by Hon. H. Warner Hill, justice of the Supreme Court of Georgia:

"Hon. Thomas B. Felder, of the Atlanta (Ga.) bar, has been personally known to me for many years. He is a member of the bar of this court in good standing, is a gentleman of high character, and an able and distinguished lawyer. He has appeared in many cases before this court, some of which have been of great importance, and he has handled them with skill and ability."

"I am informed that Mr. Felder contemplates opening a law office in the city of New York. I cheerfully recommend him to anyone desiring the services of an able and painstaking attorney."

"H. W. HILL."

I quote from a letter written by Hon. Samuel C. Atkinson, associate justice of the Supreme Court of Georgia:

"I have known Hon. Thomas B. Felder, of the Atlanta bar, for many years, and take pleasure in saying that he is a gentleman of high character and well-recognized legal ability. He is attentive to business intrusted to him and is especially strong as a trial lawyer."

"I understand that he contemplates extending his field of practice to other States. If he does so, he will carry my good wishes and I will confidently expect to hear of his success."

"SAMUEL C. ATKINSON."

I quote from a letter from Price Gilbert, associate justice of the Supreme Court of Georgia:

"I have known Mr. Felder well since his graduation at college, and it gives me pleasure to say that he has been a prominent and successful practitioner in the courts of Georgia for many years. He is a man of splendid ability and industrious, and in the trial of cases is of unusual resourcefulness."

"PRICE GILBERT."

I quote from a letter from Walter F. George, of the Court of Appeals of Georgia:

"* * * This contemplated change of residence by Mr. Felder has been noted generally in the press of this State."

"I have known Mr. Felder for many years. He occupies and holds an enviable position at the Georgia bar. He is recognized as a lawyer of ability and force, fully competent to handle any class of litigation and to perform any legal service. He has been quite active in directing legislation, both through the legislature of this State and in the National Congress, respecting the question of prohibition. His ability, experience, and learning have been most helpful in shaping this legislation, particularly in this State, and his removal from the State is a matter of general and genuine regret. It is my pleasure to commend Mr. Felder as citizen and lawyer in the highest terms."

"WALTER F. GEORGE,
"Of the Court of Appeals of Georgia."

I quote from a letter from Hon. O. H. B. Bloodworth, judge of the Court of Appeals of Georgia:

"I have known Hon. T. B. Felder for a number of years. He is a lawyer of recognized ability, an advocate of power, and has been quite successful in his practice. I am informed that he contemplates open-

ing an office in New York, and I predict that his legal ability will soon cause him to have a place among the leading lawyers in America's greatest city."

"O. H. B. BLOODWORTH."

I quote from a letter written by Hon. W. F. Jenkins:

"* * * It is with pleasure that I commend Mr. Felder as a member of the bar of this court, who is regarded as a lawyer of most exceptional attainments and capacity, and who has always commanded a large practice, and who has conducted himself worthily in his profession."

"W. F. JENKINS."

I quote from a letter from Hon. Nash R. Broyles, judge of the court of appeals:

"* * * and has practiced his profession with great success in all the courts of the State."

"The judges of the various courts and his fellow lawyers commend him to the kindly consideration of their brethren of the bar in the metropolis of America."

"NASH R. BROYLES,
"Presiding Judge."

I am, very truly yours,

THOS. B. FELDER.

THE TARIFF.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 7456) to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, and for other purposes.

Mr. CALDER. Mr. President, I present a memorial addressed to the Senate by the joint legislative committee on housing of the Legislature of the State of New York, which I ask unanimous consent may be read and then referred to the Committee on Finance.

There being no objection, the memorial was read and referred to the Committee on Finance, as follows:

Memorial to the Senate and House of Representatives of the United States:

The undersigned, acting as counsel for and under the instructions of a joint legislative committee on housing of the Legislature of the State of New York, herewith presents this petition and memorial.

The committee is now, and has been for upward of two years last past, engaged in investigating housing conditions in the State of New York under various mandates from the legislature of this State in the form of joint resolutions of the senate and assembly, copies of which will be found in the intermediate report of the committee, to which reference will hereafter be made.

In brief, this investigation (which is still under way) has disclosed an alarming and increasing shortage of housing accommodations throughout the State, and more particularly in the city of New York, due in large measure to the operations of illegal combinations among manufacturers of and dealers in well-nigh all the various lines of building materials and supplies that are necessary in construction, and in no small measure to corruption among labor leaders and to illegal rules, regulations, and practices of labor unions.

These illegal combinations among manufacturers, dealers, contractors, and other employers and among labor unions having their headquarters mainly in New York, Chicago, Indianapolis, and Cleveland have been and are in many instances nation wide. Criminal prosecutions have been inaugurated at the instance of the committee by State and Federal authorities, resulting in many convictions, but these convictions, especially of employers, have in most instances resulted in the imposition of mere fines that have been insufficient to serve as an effective deterrent.

The principal intermediate report of the committee, outlining the result of its investigations to the end of January, 1922, is herewith submitted, from which a fair conception may be gathered of the outcome of its activities up to that time. Following the presentation of that report to the Legislature of the State of New York, accompanied by proposed legislation embodying the recommendations therein set forth, part of the program there recommended was enacted at the session that ended in March last.

On account of the inability to present the report until shortly before the close of the legislative session, and for other reasons, the balance of legislation failed of passage, although its most important features passed the senate and were approved by the governor.

The committee is now still engaged in conducting the taking of testimony at its public hearings, and finds the following situation has developed and is now existing, which requires immediate attention at the hands of the Congress:

A comprehensive program of housing construction has been perfected, part of which is under way, for which many millions of dollars have already been provided. A considerable part of this program is now actively under way which, if permitted to continue, will go far toward correcting the housing shortage not only in the city of New York and throughout the State but throughout most of the great cities of the country, the majority of which are affected by the housing emergency, but in a lesser degree than in the city of New York, where there is a present shortage of housing accommodations of the cheaper class for about 400,000 people among the masses of the workers, all of which is set forth in detail in the accompanying report.

The result of this shortage has been an abnormal increase in rents which the workers are unable to pay, and there have been and are consequent overcrowding and insanitary and unlivable conditions. It was hoped and expected that the carrying out of the program of new construction would relieve this critical situation. The committee now finds that there is a famine in the basic materials required in building construction, such as bricks, sand, lime, cement, etc. The supply of these materials has been restricted in many cases through the operation of these unlawful combinations and in other instances by reason of the phenomenal demand due to the increase of building activity that is essential to meet the emergency.

The exactions of manufacturers and dealers in building materials due to this scarcity of supply have resulted in abnormal price increases, and in some instances in the inability to meet the demand on any terms. Manufacturers and dealers are either unable or unwilling to satisfy these demands upon a basis of reasonable prices over and above the actual cost. This situation prevails not only in the city of New York but in many of the cities throughout the country, and for the same

reason. Unless corrected it threatens to paralyze the efforts to correct the present crisis.

As illustrative of the extent to which oppression has been practiced by these combinations above referred to, it appears from the evidence that at a time when the price of building sand was abnormally high, largely as the result of a monopoly in the transportation facilities, a trans-Atlantic steamer of the Munson Line brought as ballast into the port of New York a cargo of high-class sand, which it endeavored to market. Because of the then existing combinations on the building materials market, no dealer or builder dared buy the sand, although it was of high quality, was greatly needed, and could have been had for less than one-quarter of the price that was then being charged for a similar product. The steamship company was finally compelled, at considerable expense, to take the sand out to sea and there to dump it, because of the grip of this monopoly.

In this connection attention is also called to the incongruous fact that the Government of the United States, through the United States Shipping Board, is said to be itself a party to arrangements with foreign steamship lines to maintain exorbitant freight and passenger rates in the trans-Atlantic trade, and as a result of these combinations there have been various increases in such rates, that are now being maintained to the detriment of the building industry throughout the country.

Unless this situation is corrected the continuance of these arrangements will materially interfere with the importation into this country of building materials, unless Congress will, in fixing the tariffs, make such reductions as will take into account the added cost of transportation, due to the fact that our Government is a party to combinations against which its antitrust laws are directed.

The only immediate remedy in sight is to permit the prompt importation into this country of building materials of the classes that are now excluded through prohibitive tariffs, under cover of which the present profiteering demands are being exacted. The added cost of freight upon such importations due to combinations between the steamship companies increases the burdens to that extent.

The committee would not favor and does not ask that the tariffs be fixed at a rate that will not yield the domestic manufacturers and dealers a reasonable profit over and above the present costs of production, but it has been demonstrated that the prices demanded have been grossly exorbitant, that they are the direct result of a series of criminal conspiracies between former competitors, and that the prices now exacted under stress of the present emergency are in some instances at least 50 per cent above such reasonable profit.

No relief that is not immediate will meet the situation. It can not await the slow processes involved in the pending tariff revision by Congress. The committee asks that the subject be dealt with as an emergency measure, and that it shall be confined to the basic materials entering into housing construction, which will involve a comparatively simple problem that can be readily dealt with.

Respectfully submitted.

SAML. UNTERMYER,
Counsel for the Joint Legislative Committee
on Housing of the State of New York.

Mr. ROBINSON. Mr. President, the memorial just presented by the Senator from New York discloses a condition respecting building materials that is of very great importance. It states that after an exhaustive investigation of those conditions applicable particularly to the city of New York, the entire industry affecting construction in that locality is controlled, mercilessly controlled, by close organizations within the industry.

I have before me the report of the Lockwood committee touching that indispensable construction material, brick. In a few hours the Senate will proceed to the consideration of the schedule in which is included brick. Under the rates now imposed, 10 per cent on fire brick not glazed, 15 per cent on glazed and similar brick, and 10 per cent on other bricks, not including bath brick, upon which there is a rate of 15 per cent, there are substantially no importations and the brick industry in the large centers is controlled by combinations to the detriment of the public.

The intermediate report of the Lockwood committee shows that for the first six months of 1920 brick delivered at the job in New York City cost \$11.25 and that the selling price there was \$28.75.

Mr. CALDER. The Senator, I think, means the manufacturing cost of brick.

Mr. ROBINSON. The cost of the brick. The cost included the delivery of the brick on the job, \$11.25, according to the Lockwood report. The selling price on the job was \$28.75.

Now, in spite of those conditions, the Finance Committee has brought into the Senate amendments to the brick schedule in the tariff bill increasing the existing rate from 25 to 225 per cent on brick. I desire to ask the Senator from New York, who presented the memorial, if, in his opinion, any increase in the rates on brick is justified.

Mr. CALDER. Mr. President, in my judgment the duty on brick does not affect the price to the consumer in the city of New York or any of the large cities in the East to the extent of 50 cents a thousand or in any degree at all. The freight rates from Europe or wherever brick may be made outside of this country are so great as to make it impossible for them to compete with brick produced along the Hudson River and in New Jersey. For my part, I would place brick absolutely on the free list.

Mr. ROBINSON. Accepting the conclusion of the Senator from New York as in entire accord with my own, I wish to call his attention to the fact that the only justification for any tariff on brick is claimed by the manufacturers of brick in New

York City and near the Canadian border line, that importations occur across the Canadian border and on the Atlantic seaboard, particularly in the State of New York and along the New Jersey coast. The only importations that have ever occurred have been at those points and, as implied by the Senator from New York, those importations have been quite small. So that while they can not result in material revenue or any other benefit to the public, these duties have resulted, and increased duties must accentuate that result in enabling the domestic manufacturers to control absolutely the price of their product and to charge extortionate and unreasonable prices.

Mr. CALDER. Mr. President, let me again say, in response to the Senator's statement, that a duty of 10 per cent or 25 per cent or even 50 per cent will not, in my judgment, affect the price of brick to the consumers in the city of New York or thereabouts, nor did the brick manufacturers of the country adjacent to the city of New York ask for this duty. The request for the duty came from the men along the border. Because of the fact that Canada charges a rate of duty of 25 per cent against our brick, it was the disposition of some people in this country to have the same duty against Canadian brick that was levied against ours. I believe that the duty may be taken off, Mr. President, and not do any great injury to the manufacturers of brick; nor do I believe, either, I will say to the Senator from Arkansas, that it would be of very great benefit to the consumers of brick.

Let me add that we have had indictments and prosecutions of and heavy fines levied against brick manufacturers in and about the city of New York as the result of the investigation of the Lockwood committee. I am informed by people who claim to know that the combinations uncovered by that committee do not now exist. I do not know whether that is true or not; but if they exist, the people of New York City desire them prosecuted and the men responsible punished. The difficulty, however, is that we are to-day having a tremendous boom in building in and about New York City, and the men who manufacture brick have taken advantage of that great demand to raise prices unduly, and, in my judgment, I will say to the Senator from Arkansas, outrageously.

Mr. ROBINSON. Mr. President, again agreeing with the conclusions of the Senator from New York that no justification exists for even the present duty on bricks, and that, therefore, there is much less justification for the proposed increases in these duties, I call his attention to the fact that my first statement respecting this subject was absolutely correct, namely, that the demand for an increased duty comes chiefly from two localities in the United States. One of them, according to the record, is New York City, and the other is from the manufacturers of brick near the Canadian boundary line, particularly in the State of Washington. While importations have been merely nominal, the manufacturers of refractory brick in New York and vicinity have claimed that the preservation of the industry is absolutely dependent upon an increase in the tariff.

To show the Senator that this declaration is true and that there has been a request, and an urgent one, from his city for an increase, particularly on refractory brick, I refer him to page 376 of the House hearings before the Committee on Ways and Means on Schedule B, in which is printed a long brief on behalf of the Refractory Brick Manufacturers' Association of New York, in which the contention is made and repeated that unless Congress imposes an increased duty on this particular class of brick dire results to the industry may be expected. It is also claimed in that brief that unless the increase be granted the capital invested in refractory brick manufacturing in the United States, amounting to \$220,000,000, will be sacrificed and that many of the laborers employed in the 200 plants manufacturing refractory bricks will become idle. The point is that with appalling conditions respecting building materials prevailing in New York, those representing the organizations which control the industry, while they were charging enormous profits upon their product, were appealing to the Congress for an increase in the tariff duties on their product, on the theory that unless Congress granted that increase their industries would be destroyed.

Mr. CALDER. Mr. President, if the Senator from Arkansas will permit me, a request for the increased duty on refractory brick refers, of course, to brick that are used for lining furnaces. Refractory brick, as I understand, are not used for building purposes.

Mr. ROBINSON. I understand that perfectly well, but a furnace is a structure, and refractory brick which are used for many purposes constitute one of the principal branches of the brick manufacturing industry. There has never been a time when ordinary structural brick have been imported into the United States from any source in any important quantity.

So I ask the Senator from New York: Why does his party insist upon an increase in the duty now imposed on common brick?

Mr. STANLEY. Mr. President—

Mr. CALDER. I will say to the Senator from Arkansas, if he will permit me—

The PRESIDING OFFICER. Does the Senator from Arkansas yield; and if so, to whom?

Mr. ROBINSON. I yield first to the Senator from Kentucky.

Mr. STANLEY. Mr. President, while I am not a brick expert, nevertheless I think it will not do to say that the use of refractory bricks is confined to the construction of furnaces. The fire clay which is used for making furnace brick is also used for making a thousand other kinds of material. In my opinion the greater part of the output from all the establishments making refractory brick is used in making tiling, sewer pipe, in building, and in paving streets, and all that sort of thing. If the Senator from New York will go to New Cumberland, in West Virginia, he will find the streets there are paved with refractory brick, and that houses are built of it.

Mr. ROBINSON. Mr. President, the Senator from Kentucky is correct. Refractory brick are used in all construction work which requires the exposure of the materials to high degrees of heat. The value of refractory brick lies in its resistant power to the action of heat, and it is used for very many purposes. The industry is quite a large one. Fire brick were produced in 32 States in 1916, and the total value of the product was \$30,800,000. The average importations of fire brick do not exceed \$100,000 worth per year, and they are probably very much less than that.

To illustrate the absurdity of this attempt to increase the tariff on brick, there is in the Record a brief filed by a distinguished statesman representing in another body the State of Idaho, and he makes the declaration in his brief that—

There are two small plants producing fire brick, located in my home county in Idaho, and these plants are in competition with fire brick produced in Scotland, England, and elsewhere, where wages and conditions are not at all adequate for the American laborer.

In a thousand years brick produced in Scotland could not reach Idaho because of the character of the commodity, its weight, and the necessary charges incident to its transportation. Yet we have Idaho appealing to the Congress of the United States for the protection of its refractory brick manufacturing industry by increasing to a very large degree the tariff on this necessary and indispensable product.

Mr. WALSH of Massachusetts. Mr. President—

Mr. ROBINSON. I yield to the Senator from Massachusetts.

Mr. WALSH of Massachusetts. I understand the figures to indicate that the imports were one-third of 1 per cent of the domestic production.

Mr. ROBINSON. The average imports are less than one-third of 1 per cent, and in a sense the importation is not competitive, but is supplemental to American production. In a very important sense refractory brick which have been brought into the United States from foreign countries have not come in spite of American production, but they have come supplementary to American production, because of peculiar shape or character of the brick, or something else pertaining to their manufacture which is not easily supplied by the American industry.

The industry of manufacturing common brick is not subject to the competition of foreign importations, but under the provisions of this bill it is proposed, as I read the paragraph, to levy a tax of 25 per cent ad valorem on common brick, which, as I have said, are not the subject of importation. Therefore the only effect of the proposed duty will be to give greater power to the combinations and trusts that are already controlling the right and privilege of the American people to build homes at a reasonable cost. I challenge Senators in the majority—and they can take their time while the brick schedule is under consideration to consider the matter—to give a reason for increasing the tariff on common brick. The manufacturers of common brick in this country have never been and can never be by the nature of the industry in competition with foreign manufacturers. If there is any purpose in the proposed increase, if it is to have any effect, it will accomplish the purpose of enabling the American manufacturers to enter into combinations among themselves to do elsewhere what they have done in New York City—rob the public.

Mr. McCUMBER. Mr. President—

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. SIMMONS. Mr. President, I will add, if the Senator will pardon me—

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from North Carolina?

Mr. McCUMBER. Mr. President, I merely yielded, as I supposed, for a question or a suggestion, but it appears that we are going off into a subject which we will reach in due time. I should like to get back to the pending question.

Mr. ROBINSON. Mr. President, I think I ought to thank the Senator from North Dakota for yielding to me, and I do so.

Mr. McCUMBER. Mr. President, there are two things that our good friends on the other side seem to rail against most vigorously and viciously. The one is the duty on fire brick and the other is the duty on asbestos.

Mr. President, it is true that we have recommended in this bill a 25 per cent ad valorem duty upon brick. Let us see who is asking for it—not those who are in this combination to furnish brick for the city of New York at five or six times what it costs them, but along the Canadian border, where they are using and making brick upon both sides. The Canadian can bring his brick into the United States free, while if we desire to export a few bricks into Canada we have to pay an ad valorem tax of 25 per cent, as I now remember.

Now let us see what the brickmaker along the border has to contend with.

The scale of wages is perhaps known by the Senator from New York [Mr. CALDER], who is also a builder, better than by any other man in that section of the country. He pays his bricklayers \$12 a day, with a limited amount of work that must be performed. He pays his plasterers \$15 a day.

Mr. ROBINSON. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Arkansas?

Mr. McCUMBER. Will not the Senator allow me to finish?

Mr. ROBINSON. I should like to ask the Senator a question. I want to know what the wages paid to bricklayers have to do with the cost of the manufacture of brick?

Mr. McCUMBER. Let us consider the situation.

The Senator from New York pays \$15 a day for his plasterers. Then there is a combination on the part of those who furnish building materials, and they get enormous prices. That does not stop just with the city of New York, but it reaches into other sections to such an extent that building to-day is getting so terrifically expensive that people have to cease building homes. The prices not only of the bricklayer and the plasterer but the prices of the material, fixed by a combination, are so extraordinarily high compared with the earnings of most of the people that they are forcing people to live in little stalls and apartments in all our cities. The cost of building is out of proportion to the cost of anything else in the country. The result is that the brickmaker who has to live in a house which is built by carpenters at \$12 a day and plasterers at \$15 a day feels that he has to have a pretty good profit upon his brick in order to live, and I think he has some justification for it. I think the difference in the price because of the duty upon brick would not amount to a bagatelle in the matter of the cost of building any kind of a structure in the city of New York, and the Senator from New York, who is a builder himself, admits that that is true; that it is fixed by combinations, and not by inherent value of the material that goes into it.

But, Mr. President, we are coming to the brick schedule in a short time, and we may have it passed over for the day; but right now we are upon another feature of the tariff bill, on which I hope we can get a vote soon. I ask that the next amendment be stated from the desk.

Mr. STANLEY obtained the floor.

Mr. McCUMBER. Mr. President, I believe I have the floor yet.

The PRESIDING OFFICER. The Chair thought the Senator had asked for a vote on the amendment.

Mr. McCUMBER. No; I asked that the amendment be stated because I wanted to offer an amendment to it.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. The next amendment is on page 29, beginning on line 10, where the committee proposes to strike out "25 per cent ad valorem" and to insert in lieu thereof "1 cent per pound," so that, if amended, it will read:

Formate, 1 cent per pound.

Mr. McCUMBER. Mr. President, on a reconsideration of this schedule the committee will make several recommendations, some lowering the duties proposed, and in this particular instance raising the duty from 1 cent per pound to 2 cents per pound. That ought to have been done in the committee before, because after the 1 cent per pound rate had been fixed the

duty had been made 4 cents per pound on formic acid. It takes two pounds of formate to make one pound of formic acid. We have already agreed to the formic-acid duty of 4 cents per pound. We ought, therefore, to have 2 cents a pound as the proper differential between formate and formic acid. Otherwise, of course, the formate comes in instead of the formic acid.

The PRESIDING OFFICER. The question is on the amendment proposed by the committee.

Mr. STANLEY. Mr. President, I presume I have the floor this time. I rose simply to make an observation.

The argument on the brick schedule made by the Senator from North Dakota is most significant—more significant than even a useless rate upon an article not imported to any appreciable degree, for the sole and manifest purpose of protecting a voracious trust, admittedly devouring the substance of an almost homeless people. With such a situation before him, with that condition undenied, with these appalling crimes against men seeking to live under their own vine and fig tree openly established, the Senator from North Dakota shows a cavalier unconcern that is as instructive as it is appalling.

It is said, Mr. President, that the immortal daring of the only troops that ever withstood Pickett's boy brigade, the stubborn courage that enabled them from behind a stone wall to stay the furious charge till the immortal heights were strewn three deep with the picked troops who were to the Army of Northern Virginia what the old guard was to the grand army of Napoleon, it is said, Mr. President, their valor was inspired by the cry, "We are fighting on our own home soil!" and that many of those who fought and bled upon Seminary Ridge could almost see the lights from their own cottage homes upon the hills round about them.

There is nothing in all this world that so stabilizes government, so inspires industry, so safeguards virtue, so spreads happiness in time of peace and daring in time of war, as the ownership of his home by the citizen. Give me a community anywhere made up of individual owners of their own cottage homes, and I will show you a community thrifty, virtuous, and martial; and the man who goes into a conspiracy to profiteer upon the hearthstones of America is guilty of a kind of treason. Yet when the Senator from North Dakota is advised, when the report is read, when the profiteering is admitted, what is his answer? Is it like that of the Senator from New York [Mr. CALDER], that possibly we had better revise this schedule? Oh, no! What is his answer? That it would be well to see whether this duty would act simply as a guaranty of securities to a trust in the pursuit of its nefarious business? Oh, no! "The laboring man," says the Senator from North Dakota, "is getting too much. Bricklayers are getting rich in New York"; and great scalding tears flow down his cheeks when he tells of the prosperity of the bricklayer, and the danger of profiteering by the plasterer. "Plasterers," he cries in alarm, "are getting over a dollar an hour. My God! What is the country coming to? Let us do away with the plasterers' union while you wait." It means that or it means nothing. If plasterers and bricklayers are not overpaid, his argument is a mere rhapsody of words. If they are overpaid, and there is a labor trust, what does his argument amount to? Why, where one trust exists, another must be tolerated; that is all.

He says the laborers are getting too much; they are guilty of extortion; therefore we ought to help the brickmaker to be guilty of further extortion. The poor, downtrodden millionaire, owner of this costly apparatus for making refractory brick, in which there are hundreds of millions invested, has had to pay too much for plastering a room and therefore he shall be given immunity in his nefarious business, and to plunder the community at large, because a hod carrier overcharged him.

Is it possible that with his long and distinguished service in this body, with his splendid equipment as a legislator, with his magnificent power of debate, with his fine imagination and wealth of diction, he can nowhere see anything else in this thing but the narrow personal interest of a brick mason and a brick maker? Oh, if the Senator from North Dakota and those who are associated with him could realize that there is another quantity, an unknown quantity, in this equation, that there are men who live in homes as well as men who plaster them, and as well as men who make the brick that go into them. How about the millions who pay the plasterer and buy the brick? Have they no rights? Is it to be said that any old trust shall escape if you can find another trust, especially a labor trust, just as bad?

Is it possible we have resolved ourselves into a solemn moot court, and when it is shown that a duty is unnecessary, that it makes it harder to secure a home, that it goes into the polluted coffers of an admittedly insatiate, grasping combine making

from 200 to 300 per cent, shall we permit them to go scot free if their apologists can only find some other combination just as bad, and disregard the rights of the voiceless millions of America, who to-day are crowded into unwholesome tenements, who sleep in tents or wander upon the highways? What of the thousands just starting out in life, Mr. President? To me there is no more beautiful sight than a strong youth and a loving girl building, in fond fancy, a vine-clad cottage somewhere on a hillside or in a quiet street. But they are not to have their own little home. They are never to build their own love cot. They are never to raise their little brood under their own vine and fig tree. They are to remain tenants. They are to be crowded into unwholesome places, children are to be born in darkness, where consumption devours their lungs, and ophthalmia eats out their eyes, in order, according to the Senator from North Dakota, that the Brick Trust magnates may be compensated for having paid too much to a brick mason or a plasterer.

Mr. McCUMBER. Mr. President, I have generally tried to be fair in my arguments. I have never put up a straw man and proceeded to knock him down, no matter how eloquent I might have been in attempting to do so; but not being an eloquent speaker like the Senator from Kentucky, I have never tried to erect such an individual and then proceed to knock him to pieces. I have tried to deal with facts, and when I called attention to the fact that in the city of New York those who control the building material were reaping enormous profits, and that enormous wages were being paid as compared with what were paid a few years ago, while men who had earned a meager living digging the clay to make bricks in Idaho were out of employment, I did not think that I had said anything in favor of the great combinations. But I want to ask my good friend from Kentucky in all earnestness, if he does not think that the man out in Idaho, who is a laborer, walking the streets to-day looking for a job because the mill that was making his fire brick has been shut down, is just as much entitled to his little love cot as the man who is receiving \$15 a day in the city of New York, and as much as the profiteer who is raising the price of his product ten times over is entitled to occupy his love cot?

I brought up this disparagement in the cost of making a home in New York and the cost of employment and the cost of building material to show that the brickmaker and the man who is digging the clay to make the bricks are also entitled to some protection, and entitled to the same protection as citizens in any other section of the country.

If that is offensive to the Senator from Kentucky, I am sorry to find him that sensitive. I think that the people of all sections of the country have a right to have their products protected to such a degree that the American laborer can get a job and hold it in every State of the Union.

Mr. STANLEY. Mr. President, the Senator from Kentucky was not at all offended, of course, by anything that was said by his esteemed friend from North Dakota. There was nothing personal in it one way or the other. I was simply grieved to hear so great a statesman give utterance with such unconcern to such an appalling political heresy and to show such indifference to so great a number of his fellow citizens. I was rather voicing my surprise and my grief than any sensitiveness.

Mr. McCUMBER. Mr. President, I thought I condemned, in as strong language as I could, the combinations which had fixed prices of building material so high that people were compelled to live in stalls, and I felt that that was sufficient to indicate my disapproval; but the Senator from Kentucky seems not to have so much objection to that as to the man out in Idaho who is making some fire bricks being able to supply his section of the country as against the Canadian imports.

Mr. GOODING. Mr. President, the discussion of this brick schedule, like the discussion of all the other schedules in the tariff bill so far, has shown how little Senators on the other side of the Chamber know about what conditions the industries of this country have to meet from Canada and from other countries.

I have here a short letter I want to read, which tells very well the story of the difference in conditions in the brick-making industry in Canada and Scotland and in this country. In Scotland they make brick and ship them around through the Panama Canal, taking up the markets of brick which is manufactured in Idaho. This tells the story very briefly and very well. It is the same story that could be applied to every other industry in this country; it tells of the same conditions which laboring men have to meet everywhere and which protection is designed to improve.

You have never given any consideration to the thought of a protective tariff for the American laborer. You hold that it is unconstitutional and morally wrong, and for that reason, of course, you have never even given it a passing thought.

This is a letter from J. B. Watson, of Troy, Idaho, manager of the Idaho Fire Brick Co., in which he says:

TROY, IDAHO, April 3, 1922.

Hon. F. R. GOODING,
Senator, United States Senate, Washington, D. C.

DEAR SENATOR: We believe the new tariff bill has passed the House of Congress and is now up for discussion in the House of Senators. We do not know whether the import tariff on imported fire brick has been increased from 10 per cent, as it was, or not. We earnestly ask yourself to use your best efforts to have this tariff increased from 10 per cent to 25 per cent.

We are selling very few brick in Everett, Seattle, Tacoma, or Portland. Any business we are getting is from inland points.

FACTS TO BE REMEMBERED.

Ocean freight rate from the Clyde River in Scotland and the Tyne River in England to Seattle and other Pacific coast ports is only a few cents more per ton than the railroad freights are from Troy, Idaho, or Spokane, Wash., to Seattle and other Pacific ports. Then, in Scotland a very great deal of the labor necessary in manufacturing the brick is done by females.

As to fire brick imported from Clayburn, British Columbia: The railroad freight Clayburn to Seattle is 17 cents and to Tacoma is 18 cents per hundredweight. Our rate to Seattle and Tacoma is 21½ cents per hundredweight, a difference of \$3.15 to Seattle and \$2.45 to Tacoma per 1,000 brick in favor of Clayburn, British Columbia. Besides this, this Clayburn company uses cheap Hindu labor at their plant, and further, on account of Hindu and Chinese labor in the coal mines, their coal is much cheaper in price than our coal is.

Again, the Canadian import tariff on fire brick, United States manufacture, is 22 per cent, with 2 per cent sales tax; total 24½ per cent.

That is on brick from Canada into the United States. So that is the condition the brickmakers in my State have to meet. The manufacturers in Canada employ Hindu labor not only in the brickyards but in the coal mines. Women laborers are employed in Scotland, and that is what the brick plants of the West must meet. The freight rate the foreigners have to pay is about the same or a little more than we have to pay in Idaho. That is the condition which confronts the two little manufacturing plants we have in our State, and that is the real issue before Congress and before the Senate to-day, whether we will fix a rate which will equalize the difference which exists in the costs of production of any product, whether it is brick or anything else, and give us a chance to work our factories. The other side is not even willing to give our citizens the same protection that Canada gives theirs as against the United States. It is a simple, plain story, but it presents the whole tariff question as to protection, and it will be found to apply to every industry and every case, if Senators on the other side will just take the time to make an honest investigation, instead of casting insults across the aisle to this side, talking about the bill having been framed behind closed doors in the interest of predatory wealth, in all of which they know there is no truth at all.

I gave up a great deal of time while this bill was being framed and saw a great deal of the efforts of the committee. No men ever worked harder than they did, and this is the best tariff bill that has ever been presented to Congress protecting the interests of this whole country.

The PRESIDING OFFICER. The question is on agreeing to the amendment as modified by the committee.

Mr. JONES of New Mexico. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ball	Harrison	Myers	Shortridge
Bornh	Heflin	Nelson	Simmons
Bursum	Jones, N. Mex.	Newberry	Smoot
Calder	Jones, Wash.	Nicholson	Spencer
Capper	Kellogg	Norris	Swanson
Caraway	Kendrick	Oddie	Townsend
Colt	Keyes	Overman	Underwood
Culberson	Ladd	Page	Wadsworth
Curtis	Lodge	Pepper	Walsh, Mass.
Fletcher	McCumber	Phipps	Warren
Frelinghuysen	McKinley	Pomerene	Watson, Ga.
Glass	McLean	Ransdell	Watson, Ind.
Gooding	McNary	Rawson	Williams
Hale	Moses	Sheppard	Willis

Mr. CURTIS. I was requested to announce the absence of the Senator from Indiana [Mr. NEW] on official business.

The PRESIDING OFFICER. Fifty-six Senators having answered to their names, a quorum is present. The question is on the amendment as modified by the committee.

Mr. JONES of New Mexico. Mr. President, the amendment proposed by the chairman of the committee is found in line 11, page 29, in which it is proposed to increase the duty on formate from 1 cent per pound to 2 cents per pound. The only reason given for the proposed increase is the fact that the duty heretofore fixed upon formic acid was 4 cents a pound and it takes 2 pounds of the formate to make 1 pound of the acid. There-

fore the committee is going to increase the duty from 1 cent per pound to 2 cents per pound on formate, the material from which formic acid and oxalic acid is made.

It seems to me unless a better reason than that can be given we should go back and reduce the duty on formic acid from 4 cents a pound to 2 cents. Merely because we find an inequality in the gradations of the duty from one material to another, we are complacently told that this duty should be increased 100 per cent higher than the committee originally thought it should be. It is a very simple process to increase the duty in that way, and it may be satisfactory to some people who have no other reason than that to give. I believe that the Senate is entitled to know why the duty on formic acid and oxalic acid should not be reduced rather than arbitrarily to increase the duty on this item from 1 cent to 2 cents per pound. Unless there is some other excuse for it than that, I do not see how it can be justified by anyone.

If it were the other way, if we had found that the rate on the material out of which the so-called finished product is made was too high, we might reduce it; but here, simply because a duty has been fixed at 4 cents per pound on formic acid and a similar duty on the oxalic acid, both of which are made from formate, we are now asked to increase the duty on formate, the raw material, to correspond with what has been put upon the so-called finished product. I do not think it can be justified.

The PRESIDING OFFICER. The question is on agreeing to the amendment as modified by the committee.

The amendment as modified was agreed to.

The next amendment of the committee was, on page 30, line 1, paragraph 80, after the word "potato" and the comma, to strike out "1½" and insert "2" so as to read:

Starch: Potato, 2 cents per pound.

Mr. FLETCHER. Mr. President, this paragraph refers to potato starch and other starches. The proposal is to strike out "1½ cents" per pound, as carried in the House text, and insert "2 cents." I am unable to see any sound reason for the amendment. The record in the matter discloses the following state of facts:

Under the act of 1909, the Payne-Aldrich law, the duty was 1½ cents a pound on potato starch. Under the act of 1913, the Underwood law, it was made 1 cent a pound. The Ways and Means Committee reported the pending bill to the House, and it passed the House carrying the original Payne-Aldrich duty of 1½ cents per pound. The Finance Committee of the Senate now proposes to increase that to 2 cents per pound.

It is unnecessary to do that on any basis or idea of protection. The industry, in the first place, does not need it. The most valiant protectionist, it would seem, would not urge the duty upon that basis. If we consider it from the standpoint of raising revenue, the statistics are rather enlightening in that they show the effect to be just the contrary.

Mr. SMOOT. Mr. President, does the Senator say the article does not need a protective duty?

Mr. FLETCHER. A duty of 1 cent per pound is the proper duty, from my standpoint.

Mr. SMOOT. If the Senator will read the report of the Tariff Commission, he will find that that is not sufficient, and that this is one of the items on which they say absolutely that the present rate is not sufficient.

Mr. FLETCHER. The statistics show that the imports of starch for 1909-1913 averaged 13,730,685 pounds, valued at \$375,767. That was under the Payne-Aldrich Act of 1909, when the rate was 1½ cents a pound. In 1913 the rate was changed to 1 cent a pound, and what followed? From 1914 to 1918 the imports averaged 15,143,778 pounds, valued at \$684,714, and approximately 95 per cent of those importations being potato starch. So under the act where the rate was 1 cent a pound we imported more of the starch—it is true of a higher value—and we got much more revenue out of it.

Mr. SMOOT. But that was potato starch, and that is exactly where the competition is so severe, as the Tariff Commission state.

Mr. FLETCHER. That is true; the larger proportion of those importations was of potato starch. But the value increased from \$375,767 in the period 1909 to 1913 to \$684,714 in the period 1914 to 1918, showing that we derived a great deal more revenue under a 1-cent duty than we did under a 1½-cent duty.

Mr. SMOOT. The Senator knows very well that the price of potatoes during the war was exceedingly high, and that is why the revenue was increased; but under the specific duty the price of the commodity made no difference in the amount of the revenue. Under a specific duty of so much per pound, whether it is a dollar a pound or 2 cents a pound, the price of the commodity makes no difference as to revenue.

Mr. FLETCHER. The unit value of the importations under the 1-cent-a-pound rate decreased from 8 cents in 1918 to 4 cents in 1921, according to the statistics.

Mr. SMOOT. That is a decrease of 50 per cent, but the specific duty was 1 cent a pound on the number of pounds imported; it made no difference what the price was.

Mr. FLETCHER. In 1918 the number of pounds imported was 20,416,589; in 1919 the number of pounds imported was 2,121,403; in 1920 it was 14,134,454, and for the first nine months of 1921 it was 4,101,561.

Mr. SMOOT. In other words, about 60 per cent of our consumption of potato starch was imported, all of the importations coming from Germany. However, I shall not interrupt the Senator from Florida now, but shall give the figures later.

Mr. FLETCHER. Very well. I shall be very glad to continue so that I may present the matter in a logical order, if possible.

Before the World War, as the Senator from Utah has suggested, Germany and the Netherlands supplied practically all, but in the last two years some of these importations have come from Japan. The fact is also that the important industry of this country is the cornstarch industry. The potato-starch industry is not very important to us, although it is the most important branch of the industry in Europe. Our manufacturers of cornstarch are developing processes whereby they are very largely substituting the cornstarch for the potato starch. In the Summary of Information the Tariff Commission says:

Means have been found to make varieties of cornstarch suitable for use in the textile industry; these are severally competitive with potato starch.

Of the output in 1914 approximately 93 per cent of our production was from corn and only 3.8 per cent from potatoes. The remainder was obtained from wheat, rice, and cassava.

Cornstarch is by far the most important industry in this country; potato starch, the most important in Europe, ranks second in consumption.

We are finding a way to make cornstarch serve the purposes of potato starch. We do not really need a very great deal of potato starch apparently, and our production is largely of the cornstarch rather than of the potato starch.

As I have said, the figures show that we derived a greater revenue from potato starch under the 1-cent-a-pound duty than we did under a 1½-cent-a-pound duty. Now, the committee proposes to make the duty 2 cents a pound. I think we are proceeding in the wrong direction.

As to our exports, we have exported very largely starch. From 1914 to 1918 we averaged 122,848,429 pounds, valued at \$3,913,104. Practically all of that was cornstarch. Over one-half went to England and Scotland, while before the war the Netherlands and Belgium also took large quantities. In 1918 we exported 33,619,821 pounds, valued at \$1,758,557. That was cornstarch. Of other starch, which would include potato starch, if we export much of that—and perhaps we export very little of it, although we did export starches of other kinds than cornstarch—we exported 16,083,388 pounds in 1918; we exported 89,703,821 pounds in 1919; 31,480,284 pounds in 1920; and for the first nine months of 1921 we imported 21,580,140 pounds. It appears, therefore, that we are exporting very largely starches other than cornstarch.

I have mentioned the great quantity of cornstarch which we export. As I have said, we have developed the industry, chiefly along the lines of the cornstarch product, and we are making use of cornstarch in many cases where formerly we used potato starch.

It seems also from the statistics that, while potato starch is the important industry in Europe, it is not so important in this country, and we are very largely substituting for potato starch the product of the corn. Therefore we are not very greatly concerned about the potato-starch production, which is already small and growing smaller by reason of our ability to substitute cornstarch for potato starch, as well as for other reasons.

The record also shows, as I have stated, that we got more revenue for the Treasury under a 1-cent-a-pound duty than we did under a 1½-cent-a-pound duty. I think, therefore, it would be a mistake to increase the rate from 1½ cents to 2 cents a pound as is proposed by the committee. I offer an amendment to strike out "2 cents a pound" and to insert "1 cent a pound," so as to make the duty 1 cent a pound.

Mr. HALE. Mr. President—

The VICE PRESIDENT. Does the Senator from Florida yield to the Senator from Maine?

Mr. FLETCHER. I yield.

Mr. HALE. Does the Senator mean to imply that we do not have any use for potato starch in this country?

Mr. FLETCHER. We have use for it, but it is not a very extensive product, and we derive a certain amount of revenue by imposing a duty, and I am therefore in favor of the duty. However, our principal starch product is cornstarch.

Mr. HALE. But there are certain uses for potato starch which cornstarch can not possibly supply. Is not that true?

Mr. FLETCHER. I presume that is so. In the textile industry and in the manufacture of dextrine potato starch has certain advantages which give it a market even at a higher price.

Mr. HALE. So that there is still the same market that there always has been.

Mr. FLETCHER. I am not advised as to whether the market for potato starch has increased. I presume, however, that the demand for it has not really increased over what it has been heretofore, but, rather, it has gone the other way, I take it, from the fact that the production of potato starch is only 3.8 per cent of the production of cornstarch in this country.

Mr. HALE. That has nothing to do with the potato-starch industry. What the Senator has said is simply in relation to cornstarch. The cornstarch item is not now up for action. We are dealing merely with the question of potato starch.

The Senator has said that we derived more revenue from a duty of 1 cent a pound than we did from a duty of 1½ cents a pound. That may be true; but if there was any increase of revenue, it was entirely at the expense of the potato-starch industry in this country. In my State in 1894 there were 75 starch mills in operation, producing from twenty to thirty million pounds of potato starch. At the present time we have 45 such mills, and most of them are not in operation, although they do certain desultory work, and can be placed in operation at any time.

The potatoes used in the making of starch are not the highest grade of potatoes. The starch is made from the culls, from the potatoes which have been affected by rust, and from rotten potatoes. It is a very important matter to the people of Maine that the starch industry should be kept alive, because when a crop is poor and there are many potatoes of inferior quality, we can take care of those potatoes by making potato starch. If, on the other hand, the crop is a large crop and can not find a market, we can use the surplus in making starch.

If we have a duty of 2 cents a pound we can carry on the business, as was the case under the duty which prevailed before 1894. In 1894, however, the duty was cut down to 1½ cents, and in 1918 to 1 cent, and as a result of the duty of 1 cent a pound our potato-starch business has been greatly damaged.

We are simply asking for the lowest rate of duty under which the industry can live. We are not asking for an increase above 2 cents, despite the fact that the wages of labor have doubled, despite the fact also that coal, which is used in drying out the starch, has also gone up, and that railroad rates have doubled. Nevertheless we are asking only for 2 cents, and we hope to get along with that. It seems to me that such a rate is not very exorbitant.

Mr. FLETCHER. Mr. President, of course a rate of 2 cents a pound is an increase of one-half cent a pound above the Payne-Aldrich rate, which was always regarded as highly protective. The present duty of 1 cent a pound is equivalent to an ad valorem rate of about 20 per cent, and now the proposal is to double that or to make it 40 per cent, for that is what it will amount to in the ad valorem equivalent. In my judgment, we will lose revenue by increasing the duty to that extent, and there is no justification for it on any other ground.

Mr. HALE. But if we do not increase the duty the business will be driven out of existence. We are compelled to meet Japanese competition, for, as the Senator has already shown, in 1918, 21,000,000 pounds were brought into this country from Japan. The Japanese starch can be delivered at 4½ cents on the east coast at the mills. We are compelled, as I have said, to meet that competition in some way, and unless we get a proper duty we can not possibly meet it, and the industry will be compelled to go out of existence.

Mr. FLETCHER. Mr. President, I will simply state that there will be a falling off in the revenue if we increase the duty, and that it is proposed to increase it 100 per cent above the present duty, which will make an equivalent ad valorem rate of 40 per cent. Of course, that will also mean a very great increase in the price of the article.

Mr. SMOOT. Mr. President, I want to say, as far as potato starch is concerned, that there are certain of the textile industries that can use only dextrine made from potato starch. Every textile industry would prefer to have dextrine made of potato starch. It makes a better sizing; it is better for the purposes for which dextrine is used in the textile industry; and with the finer threads, particularly in the woolen schedule, I do

not care what price they had to pay, they would still use dextrine made from potato starch. It is true that in the ordinary, common use of dextrine for the purpose of sizing they can use dextrine made from cornstarch.

As to the falling off of the importations, the only reason why the importations fell off in the latter part of the year 1921 was that only 15 per cent of the looms in the woolen mills of the United States were running, and of course they did not purchase the dextrine, because there was no use for it while the looms were idle.

Mr. FLETCHER. Mr. President, has the Senator the figures—or can the Senator from Maine help us out on that—as to what it is costing our manufacturers here to produce this starch? The Senator said it could be delivered from Germany at 4 cents per pound. What does it cost our manufacturers?

Mr. HALE. In the hearings before the House committee a brief was filed by one of the starch manufacturers showing that the starch they had on hand now cost them 6 cents a pound to produce. That, of course, is more than it ordinarily costs.

Mr. SMOOT. And I will say to the Senator that the domestic price to-day is 5 cents a pound and the pre-war price was 5½ cents a pound. Of course, I recognize that the price is very low to-day because of overproduction, because the woolen mills have been closed, and that the domestic price to-day is a quarter of a cent less than the pre-war price.

I want to say also that the very next amendment that we intend to offer will be offered to paragraph 81, which is based upon potato starch. Under that paragraph dextrine made from potato starch or potato flour is given a duty of 1½ cents a pound. It takes 100 pounds of potato starch to make 80 pounds of dextrine, so that with the duty of 2 cents a pound on potato starch the duty on dextrine ought to be 2½ cents. In other words, if the Senator desires to figure it out, it would be as 80 is to 100, say, or as 2 cents is to x—that is the way we used to figure it in school—and that means 2½ cents; and the committee intended to make that change in reporting the bill to the Senate. We will have to offer that amendment as soon as this amendment of 2 cents a pound on potato starch is agreed to, if it is agreed to.

Mr. FLETCHER. I had not contemplated that, because the bill as reported does not show that the committee proposed that amendment and it does not appear, so far as we can judge from the bill, that the purpose is to change paragraph 81 at all. What the Senator says now is that he proposes to amend the bill on page 30, line 4, by changing "1½" to what?

Mr. SMOOT. To "2½." In other words, it takes 100 pounds of potato starch to make 80 pounds of dextrine made from potato starch, and as the bill is reported the duty on potato starch is 2 cents a pound and the duty on dextrine made from potato starch is only 1½ cents a pound; and the differential, as I say to the Senator, is equal to the difference between 1½ and 2½.

Mr. FLETCHER. Mr. President, my disposition is to proceed as rapidly as we can with this bill. I do not want to take up any unnecessary time. I am perfectly willing to consider both these paragraphs as we go along now; and in that connection I will say that if this motion is made it means that there will be a very great increase over the act of 1909, because under that act dextrine carried a duty of 1½ cents per pound.

Mr. SMOOT. The duty on dextrine in the act of 1909 was 1½ cents a pound, as the Senator says; but I want to call the Senator's attention to the fact that the Tariff Commission state that very thing and what the result was. They say:

In the conversion of starch to dextrine 80 to 88 parts of dextrine are obtained from 100 pounds of starch. In some of the previous tariff acts starch was made dutiable at a higher rate than the dextrine made from it, but the act of 1913 provides a one-fourth cent greater duty on dextrines than on the corresponding starches. The difference in price between starch and the dextrine made from it is usually between 1 and 2 cents.

The Senator can see, of course, that that is the case, and the mistake was made in 1909, and the Tariff Commission refers to it. It is perfect nonsense to try to give a duty upon dextrine and have it the same rate as on potato starch, because it does not balance at all.

Mr. FLETCHER. I am inclined to think there is merit in that suggestion. Nevertheless, I was a little surprised when I read paragraph 81 as proposing to carry only a duty of 1½ cents a pound on dextrine, whereas it is proposed to make the duty 2 cents a pound on potato starch; but that would be, as I suggest, a very great increase, and I believe that increase is unwarranted, as I believe this increase is unwarranted.

As I say, under the act of 1909 dextrine carried a duty of 1½ cents a pound. Under the act of 1913 it carried a duty of 1½ cents a pound. The statistics show that the production of dextrine in 1914 was 18,931,641 pounds, valued at \$705,584.

Domestic production of dextrine has increased greatly since 1914, the United States now having the largest plants and producing more tapioca dextrine than foreign countries; also large quantities from potato starch and cornstarch.

The equivalent ad valorem under the duty of 1½ cents a pound is about 13½ per cent. This would make it something like three times as much, or nearly 40 per cent ad valorem on dextrine, instead of 13½, and 40 per cent ad valorem on potato starch, instead of 20 per cent ad valorem. It would seem that the industries have prospered greatly, increasing in number of plants and output under the duty of 1½ cents a pound on dextrine. Why should we feel it necessary now to increase that two or three times?

I believe that there would be no advantage as far as our revenue is concerned in either of these increases, and no need for them even for the protection of the industries.

Mr. SMOOT. Mr. President, just so that the RECORD will show the facts, the duties on all the dextrines named in paragraph 81, with the exception of dextrine made from potato starch, are exactly the same as in the act of 1909, namely, 1½ cents a pound. The differential is not required there, as it is in the case of potato starch.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Florida to the committee amendment, which will be stated.

The ASSISTANT SECRETARY. It is proposed to strike out the figure "2" before the word "cents" on line 1, page 30, and in lieu thereof to insert the figure "1."

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Florida to the amendment of the committee.

The amendment to the amendment was rejected.

The VICE PRESIDENT. The question now recurs on the committee amendment.

The amendment was agreed to.

Mr. McCUMBER. Mr. President, on page 30, line 4, the committee desires to substitute "2½" for "1½" cents.

Mr. SMOOT. I will say to the Senator that I have already explained the reason for that, and I think the Senator understood that that was necessary, since we have raised the rate on potato starch.

Mr. FLETCHER. Does the Senator say "2½"?

Mr. SMOOT. "Two and one-half." That is just the differential between the 100 pounds of potato starch and 80 pounds of dextrine.

Mr. FLETCHER. I can not agree to that increase. I ask for a vote on it; that is all.

The VICE PRESIDENT. The amendment, as modified, will be stated.

The ASSISTANT SECRETARY. The committee now proposes, on line 4, to strike out "1½" and in lieu thereof to insert "2½," so as to read:

Dextrine, made from potato starch or potato flour, 2½ cents per pound.

The VICE PRESIDENT. The question is on the committee amendment, as modified.

The amendment, as modified, was agreed to.

The ASSISTANT SECRETARY. On line 8, it is proposed to strike out "25" and insert "50."

Mr. McCUMBER. Mr. President, on page 30, line 8, I move to strike out "50" and insert in lieu thereof "40."

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. In lieu of the sum proposed to be inserted, "50," it is proposed to insert "40," so as to read:

Strontium: Carbonate, precipitated, nitrate, and oxide, 40 per cent ad valorem.

Mr. WILLIS. Mr. President, a parliamentary inquiry. I understand that the Senator from North Dakota has modified the committee amendment, so that it is now subject to amendment.

The VICE PRESIDENT. If he proposes it as a modification, it is subject to amendment.

Mr. WILLIS. Then, Mr. President, I move to amend the committee amendment by striking out "40" and inserting "20."

The VICE PRESIDENT. The amendment to the amendment will be stated.

The ASSISTANT SECRETARY. It is proposed to strike out the modified figure "40," and in lieu thereof to insert "20."

Mr. WILLIS. Mr. President, I think my votes here make it clear that I am a rather enthusiastic protectionist. I think I can prove that even by my friend from New Mexico [Mr. JONES]; but I believe that even the modified rate which the committee proposes is not justified in this instance.

My reason for believing that is this: So far as I have been able to find out, there is only one manufacturer of strontium

nitrate in this country. It is not necessary to name the concern, because I do not think this is the proper place for advertising businesses or attacking individuals or corporations; but it is a fact that there is only one important manufacturer of strontium nitrate in the country. It is also a fact that there are some five or six manufacturers of railway signals in the country. It is also a fact that this one company that manufactures the strontium nitrate sells its product to one of the signal companies at a very much lower rate than that at which it is willing to sell it to any of the other companies. I am advised also that the transaction to which I have just alluded is under investigation by the Federal Trade Commission now, but that is not important as to this rate.

There are no considerable deposits of strontium in this country, so it can not be said we are going to develop any industry. The raw material is very largely imported from England. There is practically no production here. The rate under the present law is 15 per cent. Under that rate the independent companies have been able to get along and to buy their strontium nitrate to manufacture their product, namely, railway signals. If the rate shall be materially increased it will not only perpetuate a monopoly to this one company, which has a practical monopoly of the manufacture of strontium nitrate in this country, but through an arrangement which it has with one of the signal companies, it will give to that signal company a practical monopoly of the manufacture of railway signals in the country.

I am in favor of protection, as I have suggested, and my votes prove that; but I do not believe it is wise or defensible to adopt a rate which will make possible, if it does not invite, that sort of an arrangement. The rate under the present law is 15 per cent. I think, perhaps, the industry might stand an increase of 5 per cent, and, therefore, the amendment I have proposed would fix the duty at 20 per cent, 5 per cent lower than that which is fixed in the House text.

So, in the interest of independent production in this country, I do not believe the Senate wants to do a thing which will practically centralize this business in the control of one corporation in the country, which, I feel very certain, even the modified rate proposed by the committee would do. Therefore, I have moved to substitute 20 per cent in place of 40 per cent, as now proposed by the committee, which is 5 per cent more than the rate in the present law and 5 per cent lower than the rate adopted by the House.

Mr. McCUMBER. Mr. President, of course, in fixing these rates as a rule we have to be governed by the matter of the cost of production, the amount of imports, and many other considerations. I have not in my mind now how much of this article is manufactured by one concern and how much by another, and it is impossible for us always to know whether a concern sells its product to one person at a lower rate than to another. Ordinarily such abuses in trade will take care of themselves in a short time. But I wish to present some of the details as expressed on page 244 of the Summary of Tariff Information:

The production of strontium salts increased from 2,006,000 pounds in 1916, the first available figures, to 4,927,000 in 1918, and then decreased to 1,971,519 in 1919. The output in 1920 by two firms only exceeded that of any previous year, except 1918. Domestic manufacture is chiefly from imported materials, principally celestite from England.

Imports prior to the war, chiefly from Germany, supplied the requirements of the United States for strontium salts. In 1914, the only year figures are available, there were imported 1,941,103 pounds of strontium salts, of which 1,834,733 pounds were strontium nitrate and 52,179 pounds strontium carbonate.

Later statistics of imports of strontium nitrate and precipitated strontium carbonate are not available, but it is known that considerable quantities have been brought in during 1921.

Imports of strontium oxide are combined with those of the strontium minerals (par. 1622).

Mr. WALSH of Massachusetts. Mr. President—

Mr. McCUMBER. We have the statistics in the Reynolds report, which give some indication of the comparative selling price of this commodity in the United States and abroad. I yield to the Senator, if he desires to ask a question.

Mr. WALSH of Massachusetts. I was just about to ask the Senator what is the selling price?

Mr. McCUMBER. Let us take strontium nitrate, pure: The Reynolds report gives the foreign value in United States currency at 15 cents per pound, the landing charges at 1½ cents per pound, and the selling price of the foreign article at 30 cents a pound; in other words, just double what it costs in the foreign country. The selling price of the domestic article, which is reported as comparable, is 52½ cents a pound. So when we take the foreign selling price at 15 cents a pound and the American article at 52½ cents a pound we see that there would have to be about 300 per cent to equal the difference.

Let us take strontium nitrate, technical, which comes from England. The price of the foreign article is 9.6 cents. The selling price of the same article is 11.5 cents and the selling price

of the American article is 16½ cents. So it will be seen that even a 50 per cent duty would not take care of the present differences in prices. I think that we can assume that the present cost of the article in the United States must necessarily go down, and for that reason the committee has made the differential very much below that which would be required for protection under the prices given here, and even under the prices prior to the war.

Mr. POMERENE. Can the Senator advise us as to where and by whom strontium nitrate is produced, and the amount of production in this country, as well as the amount of the importations?

Mr. McCUMBER. I do not know that I can just at this moment. I can undoubtedly get that information for the Senator in a short time. The junior Senator from Ohio has stated that there are practically only two concerns producing it in the United States.

Mr. SMOOT. There are four concerns in the United States producing it, and about 3,000,000 pounds of nitrate and carbonate are produced in the United States.

Mr. WALSH of Massachusetts. What are the imports?

Mr. SMOOT. The figures as to the imports are not available. They come in the basket clause, and the Tariff Commission can not give us the number of pounds imported.

Mr. McCUMBER. The Senator can see that until lately practically all of the product was imported.

Mr. SMOOT. All of it.

Mr. WILLIS. I desire to ask the Senator from Utah if it is not a fact that the great bulk of this product is manufactured by one company in this country, and that it is a by-product?

Mr. SMOOT. Oh, no; it is not a by-product; but the Senator's statement that the great bulk of it is manufactured by the Du Ponts is true. There are three other companies in the United States, however, which make it.

Mr. WILLIS. I do not desire to take more time, but I want to read one paragraph from a letter of a citizen of Ohio, a man who represents a very modest concern. This is his statement, and I think it reflects the exact facts:

With the present duty of 15 per cent (foreign valuation), these five manufacturers have been able to purchase strontium nitrate and compete favorably—

With the one company which has been getting the favors from this other concern, which manufactures practically all the strontium nitrate made in the country. This writer said further:

Should the new tariff bill pass, which we understand increases the duty to 25 per cent and based on American valuation, which would mean an increased duty of from 15 to 50 per cent, you will readily see that it will place these five manufacturers in a very unfavorable position.

There is no doubt about that, because they are practically shut out. If this goes through, it will mean that not only the production of strontium nitrate but the production of railway signals will be centered in one company, and I think it would be unwise to bring about that result. I think the 20 per cent rate will permit fair competition and furnish a proper degree of protection.

Mr. WALSH of Massachusetts. Will the Senator be kind enough to name the five companies which produce this product and tell us where they are located?

Mr. WILLIS. Perhaps I may be wrong about it, but I have always taken the view that this is not the proper place either to make attacks upon individuals or corporations or to advertise their products by name. So far as possible I have always sought to keep from doing that.

Mr. WALSH of Massachusetts. I am not making any attack upon them; I am simply asking for information.

Mr. WILLIS. I understand, and I shall be very glad to give the Senator the information privately; but it is a fact that there is one great company which manufactures nitrate, and it has a private arrangement with one of the signal companies in this country which gives that one company a tremendous advantage and shuts out the other five. If we fix this rate at 20 per cent, we shall give a fair protection to the manufacturer and at the same time permit these independent concerns to live.

Mr. WALSH of Massachusetts. Will 20 per cent be satisfactory?

Mr. WILLIS. As a matter of fact, the independent concerns are opposed even to the 15 per cent rate. The present rate is 15 per cent, and they are even opposed to that; but I am a protectionist, and I think in fairness we ought to give a rate of 20 per cent. I therefore have moved to amend the amendment and make it 20 per cent, instead of 40, which the committee now proposes.

Mr. WALSH of Massachusetts. The only reason I had for asking for the names of those companies was because these items will have to be considered later when we come to go over the House text, and I, as well as the other minority Members, want to know who are producing these commodities or products, so that we can get some information about the prices.

Mr. WILLIS. I shall be very glad to give the Senator the names of the persons and firms in this country producing railway signals, five of them discriminated against by the chief producer of strontium nitrate.

Mr. WALSH of Massachusetts. Day before yesterday we had a controversy here about prices, and I sent a telegram to one of the companies named and got some valuable information as to the price for which the product is selling in the domestic market. So if the Senator would give us the names of those companies it might assist us in getting the facts.

Mr. WILLIS. I will give the Senator the names privately.

Mr. SMOOT. I will give the Senator the name of the one which manufactures the most of it, the Du Pont Co., as I said a few moments ago.

Mr. WALSH of Massachusetts. I had no idea whether it was Du Pont or Smith or Jones or Brown, but I do want to know where we can get some information as to the domestic price. So the Du Pont Co., of Delaware, produces this product?

Mr. SMOOT. It does.

Mr. POMERENE. There is another question I would like to have some information upon. My colleague made the statement that there are four companies which are making these railway signals.

Mr. WILLIS. I meant to say six. There are six companies manufacturing them.

Mr. POMERENE. If I understood the balance of my colleague's statement correctly, it was that if this high rate prevails, then five of those companies will be ruined financially.

Mr. WILLIS. Practically so. It will center the business in the one company, which has the understanding with the producer of strontium nitrate.

Mr. POMERENE. Where are these five companies located, and what are their names?

Mr. WILLIS. As I stated a little bit ago, I have always made it a rule in this body, and in the body at the other end of the Capitol, never to give the names of persons or corporations, because I do not desire to make an attack on them or to advertise them. I shall be glad to give the names to my colleague privately.

Mr. POMERENE. I would not ask it if I did not think it was a matter of legitimate information.

Mr. SMOOT. Let me ask the Senator a question to find out just exactly what he did state. I may have misunderstood him. Does the Senator say that the five railway signal companies will go out of business under this rate?

Mr. WILLIS. Of course I do not know that they will go out of business, but I do know that it will be a tremendous burden on them, and it would give a very distinct advantage to the one company that has a private arrangement with the producer of strontium nitrate.

Mr. SMOOT. There are six purchasers of this article in the United States and four factories in the United States making it. There is one company, a signal company, that has a contract, I think, with the du Pont Co., and that is the company to which the Senator refers.

Mr. POMERENE. What is the company?

Mr. SMOOT. I have not the name of the company right now, I will say to the Senator, but I will give it to him. The name, however, does not make any particular difference.

Mr. POMERENE. Let us have the names of the other companies.

Mr. SMOOT. I do not even remember the names of the other companies, but they purchase this article which is used for pyrotechnics and for producing red lights along the railroad lines. That is what the article is for.

Mr. POMERENE. I assume that the Senator gets his information from the hearings before the Finance Committee. Am I right about that?

Mr. SMOOT. No; the information I get is from the reports of the hearings before the Ways and Means Committee, page 19, Schedule A. There will be found the brief of the Columbia Railroad Signal Co., which made the protest against the rate of duty upon this product.

Mr. POMERENE. May I see that?

Mr. SMOOT. Certainly.

Mr. LENROOT. Mr. President—

The PRESIDING OFFICER (Mr. Moses in the chair). Does the Senator from Ohio yield to the Senator from Wisconsin?

Mr. POMERENE. I am not prepared to take the floor. I yield the floor.

Mr. LENROOT. I have before me the statement of the signal company referred to by the Senator from Utah, and I think it ought to be read into the Record in this connection. I read from page 19 of the House hearings:

A well-known Delaware company is the sole manufacturer of this chemical in the United States and already our company is at a disadvantage in the purchase of this highly essential and very necessary material which we buy in carload lots, and for these reasons: It is true that we can, if need be, purchase this chemical from the sole maker, but our past experience has demonstrated that when we do so, we are forced to pay 4½ cents to 5 cents or possibly 6 cents a pound more than our competitor pays, with the result that our purchase from this source becomes prohibitive since we absolutely can not purchase strontium nitrate at any such excessive and arbitrarily increased prices and then meet the competition we are forced to meet in the open market when it comes to the sale of our own manufactured products.

Moreover, as we understand it, strontium nitrate is produced from the raw celestite and strontianite, i. e., each being possible sources from which to manufacture the finished strontium nitrate. We also understand that this raw material is brought into the country as ship ballast and that a plant with a capacity of 5 to 8 tons per week and furnishing employment to only six or eight men and requiring a plant investment of not exceeding \$35,000 is quite sufficient for all practical purposes.

Then, on page 346, will be found a protest from the Victor Sparkler Co., of Elkton, Md. It would seem that the price which prevails in this country to-day is by virtue of monopoly and not by virtue of cost of production.

Mr. SMOOT. Taking that statement into consideration, that would be true, because it says there is only one manufacturer, but that statement is not true.

Mr. LENROOT. I only stated what appears in the hearings.

Mr. SMOOT. I know the Senator did; and I say, taking that statement into consideration, it would be true; but the statement is not true. The Geological Survey, on page 24, in making their report upon this product, said:

According to the Geological Survey, in 1917 four companies reported sales of strontium nitrate and carbonate amounting to about 3,000,000 pounds, of which the nitrate constituted by far the larger part.

I have sent to the telephone to get from the Tariff Commission the names of the four companies, and I shall put them in the Record later, if I can not get them before the debate on this item closes.

Mr. POMERENE and Mr. WALSH of Massachusetts addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Utah yield; and if so, to whom?

Mr. SMOOT. I yield first to the Senator from Ohio.

Mr. POMERENE. Is it true that the producer of strontium nitrate makes one price to one consumer for use in the making of railway signals and different prices to others?

Mr. SMOOT. I can not say as to that, because I never had any investigation made, and I do not think the Tariff Commission made any investigation.

Mr. POMERENE. The brief from which the Senator from Wisconsin read seems to indicate that there is a very material difference in the prices.

Mr. SMOOT. If there is no more truth in the one statement than there is in the other, then, of course, we need not give very serious consideration to it.

Mr. POMERENE. It is hardly fair to make a statement that the brief does not contain the facts. It may not, of course.

Mr. SMOOT. I do not say that that is not the case, because I do not know, and I am not going to make any statement on the floor of the Senate about which I am not sure.

Mr. POMERENE. Of course, the Senator would not do it intentionally.

Mr. SMOOT. I do not see why they should go to one firm to buy when there are three others in the United States from which they can buy. The only reason why they would go to the Du Ponts would be because they could get better terms than from the other producers.

Mr. POMERENE. I understand there is only one producer, but there are five or six different manufacturers of railroad signals.

Mr. SMOOT. They are purchasers of the material.

Mr. POMERENE. If I understand my colleague correctly, they would be compelled either to purchase from this domestic producer or to purchase abroad. That seems to be the situation. It does seem to me, looking at this matter even from the standpoint of the most ardent protectionist, all must admit the eminent unfairness of this rate if it is going to enable the producer to play favorites among the other companies. That is not a square deal.

Mr. SMOOT. I agree with the Senator, and certainly I would not agree to any rate that would bring it about; but the rate

applies to the other three producers as well, and the other three producers are certainly looking for business.

Mr. POMERENE. There seems to be a difference of opinion between the Senator from Utah and my colleague. My colleague says there is only one producer.

Mr. SMOOT. I think the Senator's colleague took that statement from the witness.

Mr. POMERENE. Does the Senator from Utah say that that is not correct?

Mr. SMOOT. I say it is not correct.

Mr. POMERENE. Who are the other producers?

Mr. SMOOT. I have just stated that I sent to the telephone to see if I could learn the names of the other producers.

Mr. POMERENE. In asking the question I had in mind the manufacturers of railroad signals rather than the producers of the product.

Mr. SMOOT. There are six of those.

Mr. WALSH of Massachusetts. Mr. President, I wish to say to the Senator from Ohio [Mr. WILLIS], in view of the information which has been given to the Senate by the Senator from Wisconsin [Mr. LENROO], that I think he was absolutely right in withholding the names of the companies to which he referred. It is quite apparent that it is not safe for small concerns, dependent upon monopolies in America, in any way to interfere with the demands and exactions of the monopolies for high protective rates.

Mr. McCUMBER. Mr. President, I understand that there are four or five different concerns which are manufacturing this product.

Mr. SMOOT. Four.

Mr. McCUMBER. Four, the Senator from Utah says. I also understand that one of these firms does not deal fairly with all purchasers, but gives some an advantage. It seems that there is a desire to punish the other three because the one firm does not deal equitably with all who may desire to purchase the products of that firm.

The only question, it seems to me, is to ascertain whether the other concerns outside of the Du Ponts need the protection we have given them here. If they need it, we ought not to deny it to them because one concern does not deal fairly with all customers or would-be customers.

Mr. SMOOT. All the information the committee could gather from the Reynolds report and all the other sources of information as to importations and local prices and import prices would justify a very much higher rate than 40 per cent. The committee decided that they would not give more than 40 per cent on this article. Of course, it is a relatively new industry.

Mr. POMERENE. Does the Senator say that the Reynolds report would justify more than 40 per cent?

Mr. SMOOT. Oh, yes.

Mr. POMERENE. It was based upon prices as they were on August 1.

Mr. SMOOT. I am aware of that.

Mr. POMERENE. I understand that; but it is also in evidence here in the debates thus far that the foreign prices have very substantially changed.

Mr. SMOOT. And so have the domestic prices.

Mr. POMERENE. I think that is true; but whatever may have been the relative prices on August 1 might not be determinative of the question of duty from any standpoint as of this date.

Mr. SMOOT. That could happen, I will say to the Senator; but generally, I think, the prices in this country and the prices abroad have either increased or decreased relatively compared with what they were on August 1. There may be cases where that would not happen, where some particular cause would bring about a different situation.

Mr. McCUMBER. If the Senator from Utah will allow me, I have rather late figures upon the selling prices and the present quotations of only a few days ago.

The imported selling price is $7\frac{1}{2}$ cents per pound. The domestic selling price is 12 cents per pound. That is on the strontium nitrate. Strontium carbonate is 10 cents a pound. The prevailing price of strontium carbonate was 7 cents per pound. So we are getting down very closely; but we see, taking as a basis the $7\frac{1}{2}$ cents for foreign and the 12 cents for domestic, that even a 50 per cent ad valorem rate would not take care of it; it would take almost 100 per cent.

The PRESIDING OFFICER. The question is on the amendment offered by the junior Senator from Ohio [Mr. WILLIS] to the committee amendment.

Mr. POMERENE. On that I ask for the yeas and nays.

Mr. JONES of New Mexico. Mr. President, I would like to say just a few words before the vote is taken.

Mr. SMOOT. Mr. President, will the Senator yield a moment that I may put in the Record the information I got by telephone?

Mr. JONES of New Mexico. I yield for that purpose.

Mr. SMOOT. The Geological Survey reports that the three principal manufacturers of this product are the Du Pont Co., the Mallinckrodt Chemical Works—

Mr. POMERENE. Where are they located?

Mr. SMOOT. A very large concern, located in St. Louis. The third one is the Powers-Weightman-Rosengarden Co., at Philadelphia. Those three concerns manufacture nearly all of this product. There is just one small manufacturer outside of those three. Each one of them, as the Senator knows, is a very large concern.

Mr. WILLIS. Can the Senator state the percentage of the product put on the market by each one of those three companies?

Mr. SMOOT. No; I can not.

Mr. WILLIS. That is really the meat in the coconut. The fact is that the first is the one which handles practically all the business.

Mr. SMOOT. I said, and so does the Tariff Commission in its report say, that the Du Pont Co. makes a large proportion of the product. I made that statement in answer to the Senator when the Senator from Ohio made an excuse for not stating even the name of the company.

Mr. WALSH of Massachusetts. All of the other companies produce other products besides this?

Mr. SMOOT. Certainly.

Mr. WALSH of Massachusetts. But the largest quantity of this product is produced by the Du Pont Co.?

Mr. SMOOT. That company produced the largest quantity. The only reason for that, I suppose, is that they have more customers, or reach the trade better, either by being able to furnish a lower price or otherwise. It is not because the other two companies can not produce all of it that is desired in the United States.

Mr. WALSH of Massachusetts. Are the three companies actually competing with each other?

Mr. SMOOT. I should judge so from the way the prices have fallen during the last six months.

Mr. JONES of New Mexico. Mr. President—

Mr. McCUMBER. Mr. President, the Senator from New Mexico [Mr. JONES] desires to speak on the amendment, but I wish to ask him to yield to me in order to make a statement.

Mr. JONES of New Mexico. I yield.

Mr. McCUMBER. The Senator from Alabama [Mr. UNDERWOOD] the other day asked that if at any time the Committee on Finance desired to have the tariff bill laid aside for any purpose we would give due and timely notice of that fact. I do not desire that the bill be laid aside at any time between our regular hour of meeting at 11 o'clock in the morning and 10 o'clock in the evening, if I can possibly help it; but I am informed that the Army and Navy pay bill should be disposed of before further headway can be made in the consideration of some of the appropriation bills; that the Committee on Appropriations are waiting for the Senate to act upon the pay bill. So I am going to suggest, and I desire to give notice at this time, that the Senate meet on Monday next at 10 o'clock a. m. instead of at the usual hour of 11 o'clock; that then the tariff bill may be temporarily laid aside in order to consider the Army and Navy pay bill. It is hoped that we may get through with that bill in an hour, or a little more than an hour, and that we may then go on with the tariff bill without the loss of any time.

Mr. JONES of New Mexico. I merely wish to say, in reply to what the Senator from North Dakota has said, that I believe if we work 11 hours a day that is all we should be called upon to do. I have not been making any complaint about the long hours; I have been here all the time; and I have been trying to do my share in the discussion of the very important subjects which are involved in the pending bill. If the bill to which the Senator from North Dakota has referred is not going to take up more than an hour, I do not see why we should meet at an early hour and be in session for 12 hours on Monday. I am very anxious to proceed with the pending bill as rapidly as may be within reasonable limitations, but it strikes me that to ask us to stay here continuously for 12 hours a day, without any intermission for lunch or dinner or any other reason, is asking too much.

Mr. McCUMBER. I desire to say to the Senator from New Mexico that each day the Committee on Finance is meeting at 9 o'clock in the morning and working until 10 o'clock at night. That makes 13 hours a day. If we can stand that and be here continuously, it seems to me that other Senators might, for one

day, meet an hour earlier for the purpose of considering the bill to which I have referred. I wish we might avoid evening sessions, but we are making such slow progress with the bill that they seem to be indispensable if we are going to get the bill through this summer.

Mr. JONES of New Mexico. I will state that other Senators are not idle until the hour of meeting at 11 o'clock in the morning. While the Senator from North Dakota may be meeting with the other majority members of the Finance Committee for the purpose of revising the pending bill, there must be work done by other Senators in order to prepare for the duties of the day.

Mr. McCUMBER. I hope the Senator from New Mexico did not think that I even had an idea in my mind that other Senators were idle.

Mr. JONES of New Mexico. In this connection I think it is not out of the way to make the observation that if the majority members of the Finance Committee could have additional hours for further consideration of the pending bill it would result in great benefit to the country. Since this debate has commenced here the majority members of the Finance Committee have discovered their own errors in a large number of cases, resulting, doubtless, from the discussion. When the bill was first brought before the Senate not a word could be heard from any of the majority members of the Finance Committee regarding any item of the bill; they declined to explain anything; but now they are not only explaining, but they are reconsidering and they are bringing in amendments of their own here greatly reducing the exorbitant duties first proposed by the majority members of the committee; and I think, in the interest of the country, it would be advisable to let the majority members of the Finance Committee have more time than they have been having.

Mr. CARAWAY. Mr. President, if the Senator will allow me, they will probably have more time after the next election.

Mr. JONES of New Mexico. That is far away and can not affect this bill.

Mr. DIAL. Mr. President—

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from South Carolina?

Mr. JONES of New Mexico. I yield.

Mr. DIAL. Mr. President, I am a great believer in work; in fact, I have always been looked upon as an extremist for work. I must confess, however, that recently it seems we are getting a kind of an overdose of it. As to the long sessions of the Senate now being held, until 10 p. m., I am not making any great kick, but we are making the day longer at both ends. I do most earnestly protest against this hour-earlier business which has recently been inaugurated in this city. If people want to get up early and go to work, I have no objection; in fact, I think it is very commendable to start early; but when they do so, I do not see any reason why they should want to discommode everybody else. If it suits the storekeepers to open their stores at 8 o'clock or 7 o'clock or 6 o'clock, and the clerks agree to it, that is a matter for them; but things have gone so far now that everything in the city is getting out of joint.

The housekeepers are almost prostrated and there is great difficulty in trying to get the little fellows to school. I am fortunate enough to have a large crowd at my house; I patronize three schools, having five children to send to them; and it is a hard matter to get them off in the morning. It is much like trying to catch an early train; in fact, we got in such a big hurry yesterday that we turned over the coffee pot and spilled the coffee. [Laughter.]

Seriously, Mr. President, I think it time for people to become sane. We had some of this so-called daylight-saving business during the World War. At that time we tried a good many experiments and nobody kicked; we accepted anything anybody said would help to "win the war" and speed the good cause along; but there is no sound or sensible reason now why we should try to conduct any such experiments.

As I have said, if people in various occupations want to have different hours, they can accommodate themselves to their own desires; but let us go along and try to help the ladies and the people who are burdened with housekeeping so that they may have whatever comfort they can get out of life. The new arrangement of opening the schools at 8 o'clock is disconcerting and entirely unwarranted, and no doubt is a hardship on the teachers. There is no good reason for it. I can not find where it originated; I can not find any sponsors for it. It disconcerts the servant population and inconveniences everyone else.

We are going to have a great howl about new hours after a while. There is some talk here now about extending the hours of work for Government employees, and I want to commend that

proposal highly. If the people who claim that they are not able to work eight hours a day, sitting in turn-around chairs under electric fans and with all other conveniences, would go down to my section of the country and see what some of my constituents go through they would come back with a different idea. Some people are even going so far as to talk about a six-hour day. We had a little hint along that line yesterday when I heard witnesses make such suggestions.

I want to say, Mr. President, that I wish, so far as the women and children are concerned, that no man's child and no man's wife would ever have to be compelled to hire themselves to anybody; but I can see no good reason why everybody in the world should not work for themselves. There ought not to be any law limiting the hours of work for grown men. Women and children, of course, are exceptions, but if any young man is not able to work over six hours a day he ought to be sent to a hospital.

We are going to disarrange the whole industrial ideas of this country if the present course be continued. Living costs are now so high that a man of ordinary means does not know which way to turn. So I must insist that Congress do not follow this new fangled "ism" of trying to change the time. I hear some talk of making the effort to do it here. While I am not a very long-winded talker, yet I talk pretty fast; I certainly could say a good many words against such a change; and when that kind of a proposition is brought forth, if it shall be, I will occupy much more time of the Senate than I have in the past.

Mr. FRELINGHUYSEN. Mr. President, the Senator from New Mexico has very kindly yielded to me for a moment to discuss briefly the item now under consideration. As a member of the committee, in placing this duty on this commodity, I was not governed by considerations affecting any manufacturing concern in this country. I had no information as to who were manufacturing the product, nor did I care. That is not the question, and in this argument we are drifting far afield from the point. If any concern in this country has a monopoly or is guilty of any unfair practices, there are ample and sufficient laws on the statute books to prosecute them. The question before the committee was, and the question before the Senate is, What is the proper duty to protect the American industry? And that is the question we are trying to solve. In placing a duty of 40 per cent upon this product we were trying to fix a differential between the American price here and the competitive price of the imported article. The information which the committee had was that 12 cents was the manufacturing cost of the American product, and that Germany could land the product here at 7½ cents. With those figures before us, even a 40 per cent duty was not sufficient.

What is the situation? Prior to the war the imports were chiefly from Germany. That country supplied the requirements of the United States for strontium salts. In 1914 there were imported 1,941,000 pounds of such salts. Later statistics of imports of strontium nitrate, precipitated and carbonate, are not available, but it is known that considerable quantities have been brought in during 1921.

These salts were not produced in the United States prior to the war, but we imported them from Germany. We are now supplying the domestic market with these salts. Germany can land them here at a much less cost; her wages are much lower than ours, as Senators on the other side know.

The question is, Are we willing to give a sufficient duty to protect the American industry, in view of the difference between the cost of production here and the cost of production in Germany? If we are not, cut the duty down to 20 per cent. If we are, give a 40 per cent rate and protect American labor. The whole debate on the other side has been an attack upon American labor and in favor of protecting labor on the other side of the Atlantic.

Mr. JONES of New Mexico. Mr. President—

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from New Mexico?

Mr. FRELINGHUYSEN. I will yield in a moment. The object of the committee is to protect the American workingman, and that has been the impulse of the committee in fixing the rate—an effort to cover the difference in costs of production here and abroad. Germany enjoyed the full benefit of the American market prior to the war. We have learned to make this product, and we are making it now; but unless you protect it with rates based upon the differential between the costs here and abroad you will destroy this industry and turn the business over to Germany. Now, the question is, Which do you want to do?

Mr. JONES of New Mexico. Mr. President, I hope the Senator from New Jersey will not leave the Chamber just for the moment. I should like to ask him how much labor is involved in the production of these salts?

Mr. FRELINGHUYSEN. Mr. President, that is not the question.

Mr. JONES of New Mexico. The Senator has just said that it was.

Mr. FRELINGHUYSEN. Wait a minute; that is not the question, because probably the same amount of labor is employed on the other side. The question is whether you are going to protect American labor, whether it is more or less, in a manufacturing process here or whether you are going to yield by giving the business to Germany and giving German labor the benefit of the business. That is the question.

Mr. JONES of New Mexico. Mr. President, I hope still the Senator will not leave the Chamber.

Mr. FRELINGHUYSEN. I do not intend to leave the Chamber under any circumstances while this debate is going on.

Mr. JONES of New Mexico. You are asking here for a 40 per cent ad valorem duty. That is 40 per cent upon the finished product?

Mr. FRELINGHUYSEN. Absolutely.

Mr. JONES of New Mexico. What per cent is that on the labor involved?

Mr. FRELINGHUYSEN. The difference between the American wages paid and the German wages paid.

Mr. JONES of New Mexico. Mr. President, as a matter of fact, the Senator does not know anything about what wages are paid, either in Germany or in this country, so far as this industry is concerned.

Mr. FRELINGHUYSEN. I know this: I know that in every conversion-cost investigation that was made it was found that the German labor cost was not 20 per cent of the American labor cost. If the Senator wishes to go into that question and debate it on this amendment we will ascertain the wage scale in this industry and put it into the Record, and if he is willing to accept that as a final decision and will be convinced by it, I venture to say that if that investigation is made he will find that the differential between the cost of American labor and the cost of German labor is greater than the 40 per cent ad valorem.

Mr. JONES of New Mexico. But the Senator does not keep in mind the fact that the 40 per cent ad valorem is upon the finished product. It is not simply representative of the difference in the cost of labor.

Mr. FRELINGHUYSEN. Why, certainly I understand that, Mr. President. I understand that it makes no difference whether the conversion cost is 80 per cent raw material and 20 per cent labor or whether it is 80 per cent labor and 20 per cent raw material. That 40 per cent covers the difference in the cost of labor here and abroad.

Mr. JONES of New Mexico. And what else? It covers also the difference in the cost of raw material, does it not?

Mr. FRELINGHUYSEN. Certainly it does—everything that goes into it.

Mr. JONES of New Mexico. And the profit, also, does it not?

Mr. FRELINGHUYSEN. No; it does not cover the profit.

Mr. JONES of New Mexico. Then, unless the Senator knows the amount of labor necessary to the production of a commodity, I should like to know how he can say that 40 per cent is necessary for the mere protection of that labor.

Mr. FRELINGHUYSEN. I can not say that 40 per cent is necessary; neither can the Senator say that 40 per cent is necessary; but that is the basis upon which the tariff is made. That is the basis upon which the Underwood tariff was made—the cost of the finished article here and the invoice price of the finished article imported. If the Senator wants to go into the question of a proper basis of fixing scientific tariff duties he must change the whole policy of tariff making, and I will join him in such a policy. If he will agree to give a tariff commission or a governmental body sufficient powers to investigate and make studies of the difference between the conversion costs here and abroad and write that as the basis of the future tariff policy of this country I will join him; but neither his party nor mine has ever adopted that policy.

Mr. JONES of New Mexico. Mr. President, we had a good illustration yesterday of how such a policy as that would work. I will say to the Senator from New Jersey that for a considerable length of time on yesterday I called attention to the fact that the present Tariff Commission had reported that upon the oxides of lead, which we were discussing yesterday, there was no difference in the cost of production in this country and abroad; and notwithstanding that, the Senator from New Jersey flouted the Tariff Commission in the face, and voted to put a high duty upon these oxides of lead when the Tariff Commission had reported that they were not necessary, that there was no difference in the cost of production here and abroad. That shows the sincerity of people who talk about some theory, but when we come to put into practical operation the identical

thing they simply repudiate the doctrine which they profess in the open in order to increase the prices and the benefits of some special concerns in this country.

Mr. FLETCHER and Mr. FRELINGHUYSEN addressed the Chair.

The PRESIDING OFFICER. Does the Senator from New Mexico yield; and if so, to whom?

Mr. JONES of New Mexico. I yield first to the Senator from Florida.

Mr. FLETCHER. I just want to make this suggestion, as it may help this discussion along. The point is, Can the Senator from New Jersey tell us what is the total labor cost in the production of this item abroad, and what is the total labor cost of its production in this country? Unless he can give us those two items, the duty levied here is a mere guess. We must know what the total labor cost is abroad, what the total labor cost is here, and ascertain the difference, and then we will be able to say whether 10 per cent or 40 per cent ad valorem is necessary.

Mr. FRELINGHUYSEN. Mr. President, of course I can not give the difference between the—

Mr. FLETCHER. Then the argument all amounts to nothing.

Mr. FRELINGHUYSEN. Will the Senator do me the courtesy to listen to my reply without trying to wave it aside?

Mr. FLETCHER. I am not waving it aside; I am listening.

Mr. FRELINGHUYSEN. Of course, I can not give, in this specific instance, the difference between the labor cost of manufacturing strontium salts in this country and manufacturing them in Germany; but I can give the Senator the information that the wages in Germany are from 50 to 80 per cent below what they are in this country in every line of industry.

Let me say to the Senator from New Mexico, in response to his criticism, his sarcastic reference to my sincerity, that he will have the opportunity of voting for a bill which I have introduced giving the Tariff Commission power to make a study of the difference between the conversion costs here and abroad, taking into account the cost of labor in every product as well as the cost of raw materials, and report rates to this body; and I shall be very glad to have his support for that measure. The Senator knows that there is such a bill before this body.

I am perfectly willing to admit that our present system of tariff making is unscientific. It is the best we have had; but if you are going to have a scientific tariff you will have to give a governmental body the time, the authority, and the money to study these questions properly, and you will have to lay down a fundamental policy as to how the tariff shall be made. That is the policy that was adopted in Germany itself. It took the Germans three years to build their tariff. They did it on the basis of the difference between the conversion costs in Germany and abroad plus a reasonable profit to the German industry. They called in committees from the different industries, who served without pay, and upon that basis the German tariff was built—the difference between the conversion costs at home and abroad—but it took time, and it took authority, and it took money.

I am perfectly willing to accept a policy of that kind in this country if you will empower somebody to make those studies and submit to Congress the findings, calling in the industry, calling in all related interests, the transportation companies and those who furnish the raw materials, and lay down a fundamental policy of tariff making; but we have never pursued that policy in this country. It has always been either a tariff for protection or a tariff for revenue, and we have always adopted ad valorem rates rather than specific rates, and we have never empowered anybody to make complete studies.

As far as our committee have gone, we tried to make every investigation on the basis of the difference between the cost of production or the cost of the domestic article here and abroad. With all the information procurable within the limited time we had, I say to the Senator that in my effort to place a duty of 40 per cent upon this product, showing the cost of the product here as 12 cents, and 7½ cents in Germany, I was impelled by one purpose, and that was to keep in this country that industry which was created here during the war, because prior to that time Germany produced all of the strontium salts which we used. Is it worth while to impose a duty, and keep that industry here, and employ American labor, or must we take the risk and the chance of imposing a duty so low that we will destroy the industry here and give Germany a monopoly of the market again?

The Senator knows perfectly well that in my effort I am trying to protect American industry. I do not care anything about the question of whether or not one company is engaged in a strife with other companies. If they are doing anything wrong, if they have a monopoly, it is the duty of the courts to inter-

here, and we have sufficient law. The great principle that I have tried to follow in my efforts, meager as they are, in the Finance Committee, has been to protect American industry and hold our trade here; and in fixing this rate of 40 per cent, which is hardly sufficient, I have tried to protect the American industry.

Mr. FLETCHER. Mr. President, will the Senator from New Mexico yield to me for just a moment?

Mr. JONES of New Mexico. Certainly.

Mr. FLETCHER. I just want to say one word to make it clear that making the general statement that wages are 50 per cent or 60 per cent or 75 per cent or 80 per cent, if you please, higher in America than in Germany, does not answer the question at all; it does not contribute toward a proper determination of what the duty should be on the article here, because the labor cost involved in the production of an article may not be over 10 per cent of the value of that article. Do you want to impose a duty of 40 per cent to cover a total labor cost of 10 per cent in the production of an article? That may be the case in this instance; and therefore I say that we can not tell whether or not this is a just and proper duty to levy unless we know the total labor cost entering into the production of this article in Germany and the total labor cost entering into its production here. The total labor cost in either instance may not exceed 12 per cent of the value of the product, and yet you propose to levy an ad valorem duty of 40 per cent.

Mr. FRELINGHUYSEN. Before the Senator takes his seat I would like to ask him a question.

Mr. FLETCHER. If the Senator from New Mexico will permit, I am trespassing on his time.

Mr. FRELINGHUYSEN. If the Senator had been a member of the Finance Committee, and it were shown that the American production cost was 12 cents, and that Germany was landing the article here at 7½ cents; and having no further information upon wages, although knowing generally that wages in Germany were probably 20 and in some cases 10 per cent of our American wages, what duty would the Senator put on this product? How would he fix the duty?

Mr. FLETCHER. I submit, in the first place, that there has been no information furnished, as far as I am advised, and none exists, as to what the cost of the production of that article here is. Merely stating what the price is does not give us any information as to the cost of the production. The price may be fixed by one factor or another.

Mr. FRELINGHUYSEN. In the absence of that information, although knowing generally that most of the cost of production in this country of this chemical is labor, I still ask the Senator the question, What duty would he fix on this article, which Germany lands here at 7½ cents, and which he says we can not manufacture at less than 12? What duty would the Senator put on it? Is he in favor of protecting American industry, or does he want to turn it back to Germany?

Mr. FLETCHER. That, of course, is not involved here. I would not levy any duty unless I had the facts upon which to base it, unless I had some reason for placing the duty. The first question appealing to me would be the need of the Government for revenue, and I would endeavor to fix a duty which would yield some revenue to the Government.

Mr. FRELINGHUYSEN. Then the question of the protection of American industry would be a second consideration with the Senator from Florida?

Mr. FLETCHER. It would be a secondary consideration under any tariff legislation, because I do not believe in the right to tax all the people for the benefit of the few.

Mr. JONES of New Mexico. I hope the Senator from New Jersey will not leave the Chamber.

Mr. FRELINGHUYSEN. I am perfectly willing to wait if the Senator is not going to take long, but I hope I shall have an opportunity to leave soon.

Mr. JONES of New Mexico. The Senator from New Jersey has dwelt upon the labor cost in the production of strontium nitrate, and he wants a 40 per cent duty on the entire item. If the Senator from New Jersey had considered the information which was furnished to the committee by the Tariff Commission, I do not believe he would have referred to that labor cost at all. I would just like to have the Senator from New Jersey listen a moment and see if he can figure out whether he wants 40 per cent duty on the price of the finished product for the benefit of the labor involved. Let me read about the manufacture of strontium salts.

If the mineral strontianite is available, the manufacture of strontium salts is comparatively simple. The strontianite is simply dissolved in nitric acid to produce strontium nitrate.

I would like to know of the Senator from New Jersey what percentage of labor he thinks is involved in that simple process of dissolving the strontianite in nitric acid? That is the entire

process in the manufacture of strontium salts. That is all there is to it, just simply dissolving the mineral in the nitric acid.

The mineral itself is imported into this country free of any duty. It is impossible to produce that ore in the United States, because it does not exist here in sufficient quantities to make it available.

It is quite true that prior to the war there was no production of strontium salts in the United States on a commercial scale. But let us see how much of an industry it is, and whether it needs this great 40 per cent protection. I will just give a little of the history of this industry and show the basis for protection which the committee has now suggested.

There are some strontium nitrate plants located in California, but they are only temporary, built for temporary purposes, with no idea of developing a permanent industry. The reason for that is that the ore must be imported into the United States, and the Tariff Commission says that the eastern manufacturers of strontium salts are so located that they can import the raw material free of duty, while the finished product, strontium nitrate, lacking specific mention in the act of 1913, has been declared dutiable at 15 per cent ad valorem as a chemical compound or salts.

They can not compete with the eastern manufacturer. The eastern concern can import the ore free of duty. We now have a duty of 15 per cent on the salts. So it would appear that necessarily there is only one concern in the East which is manufacturing this product at the present time, and, so far as information is concerned, there is absolutely no evidence that it can not manufacture it as cheaply as any concern on earth. As I have said, as stated by the Tariff Commission, the process is simply the dissolving of the ore in nitric acid.

Mr. SMOOT. The Senator is wrong in that.

Mr. JONES of New Mexico. I am reading from the Tariff Commission report.

Mr. FRELINGHUYSEN. I know the Senator does not want to mislead anyone; and I know he wants to get at the truth of this matter. I stated that I was informed that in the production of strontium salts the chief element was labor. That is borne out by the information I have received since I made that statement. In the Tariff Survey we find the following:

Sources of strontium minerals: Celestite is the mineral largely used in this country for the production of strontium salts. Prior to 1916 practically no strontium ores were mined in the United States, our requirements of strontium salts being imported chiefly from Germany. In 1916 there were produced in the United States 250 short tons of strontium ore, but not all of it was marketed. In 1917 about 4,035 short tons of strontium ore, valued at \$87,700, were mined in this country. About 90 per cent of this output was celestite (strontium sulphate), the remainder being strontianite (strontium carbonate). The larger part of the output was from California. In 1918 the output decreased to 400 short tons, valued at \$20,000. Workable deposits of ore occur also in Arizona, Washington, Texas, Utah, Ohio, and Michigan.

Manufacture of strontium salts: If the mineral strontianite is available, the manufacture of strontium salts is comparatively simple. The strontianite is simply dissolved in nitric acid to produce strontium nitrate. It can be reduced directly to strontium oxide, which, on treatment with water, forms strontium hydroxide.

The process of making strontium salts from celestite (strontium sulphate) is more complicated, as this mineral is not soluble in dilute acids. The celestite is finely pulverized with the proper quantity of coal and the mixture is then roasted in a furnace.

Of course, it does not go through automatically. You do not put it in a hopper and have it come out salts, but you have to have celestite, you have to roast it with coal, and then to get the strontium sulphide you treat it with Chile saltpeter, you evaporate it, and you crystallize it; so you have four processes. Does the Senator mean to say that that can be accomplished without labor? I am informed, and I should like to be corrected if my information is incorrect, that labor is an important factor in the development of this product, and therefore we are protecting labor, as I stated before. The Senator probably will be interested in knowing that I have in my office at the present time, which I am informed shows, speaking of the chemical schedule, that to-day chemists in Germany are working for 4 cents a day. The Senator probably knows the salaries paid chemists in this country. That difference between the returns to labor in Germany and in this country exists as to all classes of labor, and in placing the tariff upon this product, with these four processes, largely including labor, as far as we were able to ascertain, we have taken care of the difference between the cost of the manufactured article here and the price at which the product can be imported into this country, in order that we might retain the industry here.

The Senator attacks that. I firmly believe that that rate is too low, but I do know that if the amendment offered by the Senator from Ohio [Mr. WILLIS] prevails, it will mean the absolute destruction of that industry in this country, or that portion of the chemical industry which we have heretofore enjoyed.

Mr. WILLIS. Mr. President—

Mr. JONES of New Mexico. I would just like to reply to the Senator from New Jersey a moment, and I hope the Senator will not leave the Chamber. I want to make a statement right in this connection now. If the Senator from New Jersey will just listen to me a moment, I think he will discover that the experts have furnished him an excuse, and not a reason, and I will tell him why I say that.

The truth of it is that they have now gotten to another process entirely. The making of strontium nitrate from the celestite ore is practically a defunct enterprise. It is so simple to make it from the other ore, the strontianite—

Mr. SMOOT. They can not get that ore.

Mr. JONES of New Mexico. They can not get the other ore in this country. I want to say about that, that strontianite is the mineral which is largely used in this country, especially in California, for the production of strontium nitrate.

Mr. FRELINGHUYSEN. Mr. President—

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from New Jersey?

Mr. JONES of New Mexico. I yield.

Mr. FRELINGHUYSEN. Is the Senator reading from the Tariff Survey?

Mr. JONES of New Mexico. I am.

Mr. FRELINGHUYSEN. Will he not read the first two sentences on page 22?

Mr. JONES of New Mexico. Yes; I expect to read that.

Mr. FRELINGHUYSEN. That would seem to indicate that the Senator had been misinformed when he spoke of a new process. It speaks there of celestite. It says that strontium "is the more widely distributed and the one more commonly used in the preparation of strontium salts or chemicals." It would seem as though the celestite process was the principal process used.

Mr. JONES of New Mexico. But I call the attention of the Senator to the fact that the labor cost can not be very much more in using the one than in the other, because of the manufacture of salts from the strontianite mineral. I was just reading how simple a process it was to get the strontianite. It is evident that this process is simple, but if we take the manufacture of the nitrate from the celestite ore, the Senator has mentioned some processes, but he has guessed absolutely at the labor cost. He does not know anything about it. It is a mere guess. He has made no attempt to ascertain the cost.

Mr. FRELINGHUYSEN. I know nothing about the cost of labor in the manufacture of this product, and neither does the Senator, but I do know that whatever labor is employed in Germany is paid about 10 or 20 per cent of what is paid here. I also am informed, in the same manner in which the Senator is informed—because he is not a chemist, and neither am I—that the larger element entering into this production is labor. That seems to be the question between the Senator and myself. I lay down the fact that to a large extent the production of this salt is labor, and I want to protect American labor and American industry. The Senator challenges that, attacks that, and wants to lower the rate. We might go on with this argument for a long time. I claim that the labor cost is the principal element, and that I am trying to protect the labor here rather than the labor abroad.

Mr. JONES of New Mexico. I would just like to give a little picture of this industry, and I am almost induced to read everything upon the subject.

Mr. FRELINGHUYSEN. If the Senator will kindly do that, it will give me an opportunity to get lunch.

Mr. JONES of New Mexico. I hope the Senator will not leave the Chamber. I wish to remind the Senator that he and the Senator from Ohio [Mr. WILLIS] and the Senator from Utah [Mr. SMOOT] are the only Republican Senators in the Chamber at this time. That is usually the case during the consideration of this bill. Ordinarily the Senator from Utah [Mr. SMOOT] and the Senator from North Dakota [Mr. McCUMBER] are the only ones here, and the others merely drop in when they have something to say. They do not desire to listen to anybody else.

Mr. SMOOT. And sometimes the Senator from New Mexico is the only Senator on the other side of the Chamber.

Mr. FRELINGHUYSEN. Mr. President, I know the Senator from New Mexico and I know of his great courtesy. I am perfectly willing to listen to him, but I think he has said upon this subject all that can be said. I have been discussing this question with him for three-quarters of an hour. I have some friends waiting for me, with whom I have an appointment, but I am perfectly willing to remain longer if he desires. However, I do not think anything would be accomplished.

Mr. JONES of New Mexico. I call attention to the fact, in view of the remarks of the Senator from Utah, that there are now present seven Democrats and only three Republicans.

Mr. MOSES. And more Democrats are coming out of the cloakrooms in response to the Senator's call.

Mr. FRELINGHUYSEN. I would suggest to the Senator from New Mexico that he call for a quorum.

Mr. WILLIS. Mr. President, I think the Senator from New Mexico ought not to make that sort of a statement, that there are ordinarily only one or two Republican Senators present. Some of us have been here pretty constantly. I personally have listened to the Senator with great delight hour after hour. I think it is hardly fair for the Senator to make such a statement.

Mr. JONES of New Mexico. I withdraw what I said, so far as the Senator from Ohio is concerned. He is protesting against it. I notice that the Senator from New Jersey [Mr. FRELINGHUYSEN] is leaving the Chamber. Now he is gone. I suppose he does not care to be convinced that the committee has placed this duty too high. The members of the committee are merely guessing at it. From all the Senator has said, I would like to have anybody state how they can determine that the rate ought to be 40 per cent and not 50 per cent. The Finance Committee comes in this morning and offers to change the rate from 50 per cent to 40 per cent. From all that has been said, how on earth can they draw such a close distinction as that? They do not know a thing about it.

The ore must be imported from abroad. It comes from England. Some of it comes from Germany, I suppose. At any rate, it exists in Germany, but I suppose we get our supplies in this country from England. It comes over to the New Jersey coast or somewhere on the eastern coast and there it is converted into this salt, sodium nitrate. It is a very simple process, whether it comes from strontiumite or from the celestite ore.

I will now make the observation, Mr. President, that there is only one Republican Senator present, the Senator from North Dakota [Mr. McCUMBER]. The Senator from Utah [Mr. SMOOT] has disappeared, the Senator from Ohio [Mr. WILLIS] has disappeared, and the Senator from New Jersey [Mr. FRELINGHUYSEN] has disappeared. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. GOODING in the chair). The Senator from New Mexico suggests the absence of a quorum. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ball	Gooding	McLean	Shields
Brandeggee	Hale	McNary	Shortridge
Broussard	Harris	Moses	Simmons
Bursum	Heflin	Nelson	Smoot
Calder	Johnson	New	Spencer
Capper	Jones, N. Mex.	Newberry	Stanley
Caraway	Jones, Wash.	Nicholson	Sutherland
Colt	Kellogg	Norris	Swanson
Culberson	Kendrick	Oddie	Townsend
Curtis	Keyes	Overman	Underwood
Dial	Ladd	Page	Wadsworth
Ernst	Ienroot	Pepper	Walsh, Mass.
Fletcher	Lodge	Pomerene	Warren
France	McCormick	Ransdell	Watson, Ga.
Frelinghuysen	McCumber	Rawson	Willis
Glass	McKinley	Sheppard	

The PRESIDING OFFICER (Mr. ODDIE in the chair). Sixty-three Senators having answered to their names, a quorum is present.

Mr. WILLIS. Mr. President, I ask that the pending amendment be again reported.

The PRESIDING OFFICER. The pending amendment will be reported.

The READING CLERK. On page 30, line 8, in the committee amendment as modified the junior Senator from Ohio [Mr. WILLIS] moves to amend by striking out "40" and inserting "20."

Mr. WILLIS. On that I ask for the yeas and nays.

Mr. JONES of New Mexico. Mr. President, I do not care to prolong the discussion at all, but I may state, for the information of the Senators who are now present and who will be called upon to vote upon this provision, that it has developed that there is no information as to the cost of production of the commodity either in the United States or elsewhere. The only information on which the committee now makes its recommendation is the mere fact that the New York selling price of the imported article is 8 cents a pound and the price in the same place of the American article is 12 cents a pound. Therefore, they recommended and proposed in the bill submitted in the Senate that the duty should be 50 per cent ad valorem. This morning they come in and ask that it be reduced from 50 per cent to 40 per cent. We are not told why, except that through some sort of intuition or in some subconscious way they have developed the thought that there should be a reduction from 50 per cent to 40 per cent. There are no facts given as to why that should be done. The Senator from Ohio has now made a motion to reduce that from 40 per cent to 20 per cent.

This commodity was not produced in the United States prior to the war. The only available supply of ore for these salts in commercial quantities is in Germany and the United Kingdom. So far as we are advised, the process of manufacture is simple, but there is only one concern in the United States which produces the commodity in commercial quantities. We are advised by the Tariff Commission that the California plants were merely temporary structures, built up for war purposes; and judging from the price which was obtained for the commodity during the war they doubtless amortized the entire cost of their plants by the prices which they charged for the commodity during the war.

Prior to the war the selling price of this commodity, strontium nitrate, was 5 cents per pound; the uniform sales price of it in New York, after paying the transportation charges and adding the profit and everything else, was 7½ cents a pound. During the war the price of the commodity went up in the United States to around 50 cents per pound, and it remained there until recently. It was kept up to the war price. In regard to the prices I will read the following:

The prices of strontium nitrate, the principal strontium salt used in the United States, was constant at about 7½ cents per pound prior to the war. With the outbreak of the war the price increased to a maximum of 48 cents in about July, 1916, or more than six times the pre-war price. The price from July, 1917, to January, 1920, was constant at 25 cents per pound, when the price increased slightly to 30 cents per pound, or about four times the pre-war price.

That was in January, 1920. They were still increasing the prices up to four times the pre-war prices. The invoice value of imports of strontium nitrate in 1914 was 5.2 cents per pound. Here is what can be said in regard to the competitive conditions:

Prior to the war the requirements of the United States in strontium salts were supplied by imports chiefly from Germany. The imports of strontium ore were small and sporadic and were used for the manufacture of laboratory chemicals.

The stocks of strontium salts in the hands of the principal consumer at the outbreak of the war were sufficient to meet requirements until 1916. The shutting off of imports naturally resulted in manufacture in this country. In 1917 there were two firms located in California at the source of the raw materials and at least two firms on the Atlantic coast. It is reported that the plants in California were of a temporary structure and would likely be closed down as soon as normal conditions of competition were restored. The only possibility that these plants will be able to keep operating under normal conditions is for them to induce the western beet-sugar refiners to use the more efficient strontium process of recovering sugar from the molasses residue instead of the cheaper lime process now in general use. This seems problematical, as it would involve change of equipment and is more expensive. The sugar companies do not seem to consider a change justifiable under present conditions.

The eastern manufacturers of strontium salts are so located that they can import their raw material free of duty, while the finished product (strontium nitrate), lacking specific mention in the act of 1913, has been declared dutiable at 15 per cent ad valorem as a chemical compound or salt.

That is all there is to this industry, so far as our information goes. There is no evidence to show other than that this one concern—it has been named here, else I should not repeat the name—the Du Pont Co., is the only concern in the eastern part of the United States now producing nitrate of strontium.

The uniform import price prior to the war was 5.2 cents a pound, and the sales price was 7½ cents a pound; but during the war it was increased to around 50 cents per pound, and the American selling price now has been recently reduced to 12 cents a pound. The imported article is on the market at the same old price of 7½ cents per pound; and because solely of that difference in price in the American market we are asked to put a duty upon the importation of this commodity of 40 per cent. There is not a word of testimony here to the effect that it cost one dime more to produce the commodity in the United States than it costs elsewhere, but to preserve the price, which has not gone back to normal, we are asked to impose this duty; and the concerns which raised the price during the war to six times what it was prior to the war are now asking us to reëntrench them in their profiteering upon the American people. There never was a more outrageous proposition than that which they are now insisting upon.

The Senator from Ohio has pointed out the difficulties in this situation. The article ought to be on the free list. It is bearing 15 per cent duty now, and the Senator from Ohio moves to reduce the proposed rate from 40 per cent to 20 per cent. Unless the motion of the Senator from Ohio shall prevail, we must brand the object of the Senate as being simply to keep up the extortionate prices for the benefit, practically, of one concern that has a monopoly of the product in this country, as stated by the Senator from Ohio. I sincerely trust that the motion made by the Senator from Ohio will prevail.

Mr. McCUMBER. Mr. President, a number of Senators desire to have the pending matter go over, but before I consent to

that I wish to make a statement in order that it may go into the Record to meet all of the criticisms which have been urged. I shall deal only with exact figures.

Under the Reynolds report the foreign selling price of pure strontium nitrate was 15 cents; the landing cost was 1.5 cents; the American price was 52.5 cents. Taking the usual method of levying a duty and allowing 33½ per cent for profit and overhead on the cost would make 18.1 cents. Then you would have the foreign price of 15 cents, plus the landing cost of 1.5 cents, and plus the profit and overhead of 13.1 cents, which would make 29.6 cents. That will give the importer a very good profit and allow him to sell at 29.6 cents. The American price being 52½ cents, and subtracting what it may be sold for with a good profit by the importer, we find a difference of 22.9 cents between the American selling price and the foreign selling price, with all of this profit. To equalize the two would require, according to that estimate, 150 per cent based upon the foreign valuation. I simply desire to say that we have not attempted to equalize it; we did not allow 150 per cent, but we did allow 40 per cent.

Taking the very latest figures we have, the present quotation on strontium nitrate shows an import selling price of 7½ cents per pound, while the domestic selling price is 12 cents per pound. The difference between the two—and I am speaking of 7½ cents per pound as the landing price here—would be 4½ cents. It would require 60 per cent to balance those prices. We did not give 60 per cent duty, but we did give 40 per cent.

On strontium carbonate the difference would be about the same. So that upon the various commodities in this paragraph the duties which would be required would range from 60 per cent to 150 per cent.

The real objection, as I understand—and there is a great deal of validity in that objection—is that practically only one firm supplies the market or nearly all of the market, and they supply it in such a manner as to compel certain business firms that need their product to labor at a great disadvantage as compared to others. If that be true, I am not certain that there might not be a justification for even a lower duty than 40 per cent, and I am willing to grant the request of several Senators that the matter may go over in order that we may investigate that feature of the subject.

The VICE PRESIDENT. Without objection, the amendment will be passed over.

Mr. SIMMONS. Mr. President, I think my colleagues will agree with me in the statement that heretofore I have indulged only occasionally in reading to the Senate anything from the press. If I have had anything to say to the Senate, I have preferred to say it in my own way rather than to quote from the discussions of others with reference to the subject matter. A few days ago, however, on account of the very extraordinary conditions that had arisen here, I felt it my duty to deviate from my ordinary rule and to read extensively from certain great newspapers of the country. I did that because I discovered that nothing we could say on this side of the Chamber in exposition of the defects of this measure was even heard, or, if heard, treated with any consideration by the other side of the Chamber, especially by the committee in charge of the bill. I discovered that ordinarily when we were discussing this bill the seats on the other side of the Chamber were vacant, and that the few Senators remaining representing the committee were indisposed to answer any arguments that we might make or in any way to defend the measure. They relied upon the fact that they had the votes to pass it, and practically said to us, "You can talk as much as you please." That was not confined to what I might characterize as the Old Guard section of the other side; but even our friends of the agricultural bloc, who, I would suppose, were deeply interested in the rates carried in this bill, as they injuriously affect the farmers of this country, uniformly abdicated their seats in the Chamber and paid no attention to the assaults that were being made upon the bill. It occurred to me, as all of our arguments, all of our arrays of facts, however forceful, however overwhelming, were disregarded and treated as mere partisan utterances that required no explanation, that possibly the other side of the Chamber did not realize the sentiment with respect to this bill which was everywhere prevalent in the country and which was reflected by some of the leading newspapers of the country, especially some of the great organs of the Republican Party; and in view of the fact that they would not heed us, I hoped that if I could show them that the very arguments which we were making against this bill, the very defects which we were pointing out, the very iniquities to which we were pointing, were recognized by leading Republican, independent, and trade papers of the country, possibly that might at least cause them to halt and reflect and consider whether

they were not going a little too fast and too far. So I read one or two editorials from great Republican papers, the New York Journal of Commerce and the Chicago Tribune, both shining lights in their respective sections of the country, and both of large and general circulation in the United States.

The Senator from North Dakota at the time of the reading of those editorials treated them rather lightly. He could see in them nothing except the pernicious influence of the importers and the corrupting influence of the great department stores. He contented himself with that answer.

Of course, I did not assume at the time that the Senator from North Dakota thought when he said that that he had answered the argument of these great Republican papers. I thought that suddenly taken by surprise to find these great organs of his party so strongly aligned against him, and presenting such forceful and unanswerable arguments, he must do the best he could, and for the time being he could conceive of no answer at all except that they were improperly influenced by department-store advertisements and by the propaganda of the importers.

Mr. President, that answer of the Senator from North Dakota was not accepted in this Chamber, of course, by his own side or by this side; neither was it accepted by the country. In fact, it has been very generally criticized, and in some instances ridiculed, and the Senator has been told by organs of his own party that his answer was insufficient, and admonished either to change the bill or to make more effective answer. I am going to-day to do some more reading from newspapers, and I will state later the reason why I do this.

First, let me read to the Senator from North Dakota and to the Senate a statement which I find in the Washington Post. I think it got into the Post by mistake. It is an editorial taken from the Indianapolis News. The Indianapolis News has not been known, I think, in recent years as quite an orthodox Republican paper. It has been known as a Progressive Republican paper. It represents that element in the Republican Party which Albert J. Beveridge, of the State of Indiana, where it is published, has so recently led to triumphant victory at the polls. I shall hereafter have something to say about the Progressive sentiment of the country with respect to this bill; but let me read what this great Progressive Republican paper has to say. It might be very well to consider it in connection with what that great Progressive Republican in this body, the Senator from Nebraska [Mr. NORRIS], said on yesterday, and it might be well to consider it in connection with what was said by that other great Progressive in this body, the Senator from Wisconsin [Mr. LENROOT], the other day about one of the rates in this bill. I think that we shall see before we get through that the revolt on this bill comes not only from the Old Guard element in the Republican Party, but it comes from the Progressive element, and that the heaven is working, and working very satisfactorily, in the interest of the welfare of the people.

The Indianapolis News says:

It is an interesting fact that Senator McCUMBER is thus far the only Republican Senator who seems to be particularly excited over the pending tariff bill. There is an occasional protest by our own Senator WARSON over what he supposes to be a filibuster, but it is a protest that does not seem to have much vigor behind it. He may be thinking of his most truthful statement that any tariff bill enacted under conditions practically the same as those which now exist would become obsolete in six months. Republican Senators, taking them as a whole, are singularly unvoiced on the subject.

They are beginning, Mr. President, to be very weary of this bill. They are beginning to feel very much afraid of this bill; and we shall probably soon find a sentiment over there in favor of dropping it altogether unless the committee proceeds, as it has done in one or two recent instances, partially to correct its errors.

Let me proceed with the reading:

That opposition to the bill and the demand for postponement of tariff legislation are swiftly gathering strength must be clear to all. The bill has been subjected to fierce and very effective assaults, and, what is quite as important, the arguments against it have not been met. Senator McCUMBER, when confronted the other day by editorials from Republican newspapers criticizing the bill, had something to say about "department store" influence, but the editorials were unanswered. Here is an interesting successor to the old "British gold" argument, and the department store has taken the place of the Cobden Club.

When the bill is criticized as conferring on the President a very great and extraordinary, if not unconstitutional, power, namely, to fix tariff rates, and as protecting, not production but profits derived therefrom, the only answer is that those who make these arguments—which, if true, should be fatal to the measure—are filibustering. It is not remarkable that Republican Senators should be uninterested. It is highly probable that many of them wish the bill had never been introduced or that, having been introduced it could now be dropped.

Again, Mr. President, let me read from a Republican paper, a paper that is very frequently independent, not hide-bound but liberal in its Republicanism, but always an advocate of what it regards as proper and legitimate protection. It is the New York Herald:

M'CUMBER'S CRITICIZED TARIFF.

Senator McCUMBER, chairman of the Finance Committee in charge of the Senate tariff measure, protests with more heat than logic against Republican newspapers that can not condone and frankly condemn the impossible import duties proposed in the Fordney bill and in the McCumber amendments. He seems to think Republican newspapers should be for his Republican tariff measure whether it is a good bill or a bad bill. But it would be a poor newspaper, Republican or Democrat, that could think any bill put forth by its party must be a good bill, and any bill put forth by the opposition party must be a bad bill.

If Senator McCUMBER seeks Republican approval of his tariff, seeks it throughout the country, whether from newspapers or from individuals, the way for him to get it is to make a better tariff measure. His measure is not a sound economic product and it will not be a good thing for the country with its excessive duties and the certainty that such duties will increase the public's cost of living.

The American people numbered in the ranks of McCUMBER's party will be no more favorable to the Fordney-McCumber schedules than are the newspapers that owe a higher duty to themselves and to the public than to be hidebound partisans on every question regardless of its merits. The Republican and independent newspapers that are telling FORDNEY and McCUMBER the truth about their extravagant tariff duties are performing a service for their party that could be wrecked by some of the things the Fordneys in the House and the McCumbers in the Senate stubbornly insist upon doing in the face of business objection and public concern.

I am so well satisfied with the effect upon the course of this legislation of the Republican newspaper condemnation, which I have presented on two separate occasions, that, in addition to the first two great Republican papers from which I read, I read from half a dozen or more other papers a few days thereafter, to the same general effect, and the result of bringing the real facts with reference to this question to the knowledge of the other side of the Chamber, as reflected in the editorials of their own great newspapers, has been amazing. Up to that time they had listened to us in silence. They had stared at us, almost, when we attempted to criticize the measure. Every item that was reached and voted upon was passed by the almost solid vote of the other side of the Chamber, against the almost solid vote of this side of the Chamber, but after this new light was shed upon them they changed their tactics, and I am very glad to be able to say—and I congratulate my friends on the other side managing this bill—that they have been treating our objections with very much more consideration than before. They have been very courteous in answering our inquiries, and they have been always ready since then to give such arguments as they could present to our objections, feeble as they have been in most cases.

Not only that, Mr. President, but there has been a general awakening among the rank and file of the other side, and that has been reflected in the action of the committee. The members of the committee not only now explain and answer, but they have begun to amend their own amendments, and now nearly every morning when paragraphs are reached, and the iniquities and the excessiveness of the rates are exposed, we find the chairman of the committee or his lieutenant, the Senator from Utah, rising in the Senate and proposing to modify the rates heretofore proposed, and to reduce them, and we have just had a most striking illustration of the psychology of this changed situation upon the committee.

This morning we began early, and for nearly three hours we discussed a paragraph with no indication of any relenting on the part of the other side in the way of reducing the high tax they had prepared for the people, until suddenly a Senator on the other side, of progressive proclivities, who I assume has begun to feel about this bill as I have an idea many other progressives on the other side are beginning to feel—and before we go very far their ranks will be multiplied many times—the Senator from Ohio [Mr. WILLIS] rose in his place and proposed an amendment cutting the rate proposed by the committee in half, a rate they had contended for here for nearly three hours, without any suggestion during those three hours of any modification.

The Senator from Ohio made a speech in which he told the Senate that the majority of the Finance Committee of his own party had done this thing; that there was no justification for it; and that it was a gross outrage upon the American consumers of those products, and he offered an amendment to cut the duty one-half.

I do not know whether the committee is going to support that or not. I rather suspect that if they had not accepted it, and had taken a vote, there might have been some very startling changes, and I rather think the committee did not want those startling changes to develop just at this time. Therefore the committee came in and said, "If you will just let this go over, we will take it under consideration, and we might possibly reduce the rate." I see the heaven is working.

I call attention also to the action yesterday of the distinguished Senator from Wisconsin, who, by the way, is one of the ablest men in this body, one of the great leaders in the

West, and who, I believe, will be a leader in the next campaign, not as a hidebound, Old Guard Republican, but standing for the very same things that Beveridge and Pinchot stand for, and which brought them their magnificent victories recently.

The Senator from Wisconsin is one of the greatest debaters in this body, one of the most industrious students of this body, one of the great leaders of the Republican Party in this country, and he could not stand the duties proposed by the committee, so a few days ago he took the floor in criticism of one of these duties, and, by implication, uttered a warning to the committee which it has heeded, as is shown by the fact that morning after morning since then the committee have been coming in asking to cut down these rates, which in the beginning were so sacred that they could not be touched or questioned.

Yesterday another great Senator, a man in whose integrity and fairness and sound judgment every Member of this body has the utmost confidence, and for whom personally every Member of this body entertains the highest respect, took the floor on this question. He never has been a hidebound partisan. I do not know where he aligns himself now, but judging from his utterances in this Chamber for the past year I think he is in sympathy with the masses of the people of the United States, and will stand with that wing of his party known as the progressives when it is right, in his judgment, just as he will stand with the old guard when he thinks they are right, and will be against either, or both, of them when he thinks they are wrong.

The attitude he took yesterday means much that we can not just now see. We can only anticipate it. But I think I foresee in his attitude a movement which is growing day by day in this body, as it is growing day by day in the country. I am referring to the junior Senator from the great State of Nebraska [Mr. NORRIS]. He thought he saw the men with whom he has been aligned, and with whom he has been thinking in unison on the other side of the Chamber, generally characterized as the agricultural bloc, on the point of being led into a false position. He saw them, as he thought, I judge from his remarks, about to surrender the interests of the great agricultural classes of this country to the special interests through a trade, through a logrolling process, greatly to the discredit of the agricultural bloc and greatly to the discomfort of those toilers for whom the members of the agricultural bloc especially speak. I am not going to say that this is altogether a logrolling piece of business. I do not think the Senator from Nebraska said that, but the Senator from Nebraska did warn the friends of agriculture upon this floor that they were selling out the rights of the farmers in voting for these high duties upon the things which the farmer buys in return for a pitiable little concession made in the matter of certain isolated farm products which may possibly receive slight benefit from the imposition of protective duties.

I do not say there was any logrolling; I will not charge that. In my opening address I said there were things connected with the situation which indicated that something of that sort had taken place, and that a trade had been made upon the basis of a pretended concession to the agricultural interests by which those interests were to support the high, exorbitant rates upon the manufactured products of the country. It has seemed that way up until this recent outbreak on the part of the Senator from Michigan, the Senator from Nebraska, and the Senator from Ohio. None of the schedules which have been reached covers agricultural products, all of them relating to manufactured or mining products, upon which the very highest rates of duty have been imposed, higher rates, on an average, than on any other items in the bill, because all through this chemical schedule there is the sinister trail of the manufacturers of explosives and the manufacturers of dyestuffs, and this bill has been dominated more completely by the dyestuffs industry and the explosives manufacturing interests than by all the other industries put together, probably.

The chemical schedule is full of items which relate to by-products of the dyestuffs industry and the explosive-manufacturing industry, either a by-product itself or because it was some product which competed with a by-product of the dyestuffs monopoly.

The committee was committed to do for the Du Ponts and the other manufacturers everything they wanted. They had given them an embargo upon their dyestuffs, and probably could not put an embargo on the little things in the chemical schedule, and therefore decided to give them the next best thing, fixing prohibitive duties; so I say the sinister trail of the dyestuffs industry runs all through this chemical schedule, and that is one reason why I wanted to see it thoroughly debated and discussed.

What I mean to say is that while these high rates of duty, in many instances absolutely prohibitive, were being discussed there were no representatives of the agricultural bloc in the Chamber. There is not a single representative of the agricultural bloc in the Chamber now except my good friend from Nebraska [Mr. NORRIS]. These members of the agricultural bloc do not stay here and hear the argument. Why? I would not say they did not stay because they had had an understanding of which they were ashamed and did not wish to be subjected to the unpleasantness of being present when they were criticized. I will not say that. I do not think that would be quite true. Nevertheless, I must admit they have absented themselves concertedly, and I have noted that. We have wanted to talk with them. We want to reason with them. I do. I represent agriculture. I am deeply interested in it and I do not want to see it slaughtered in the American Congress, so I want to talk with them; but I can not talk with them. I have not been able to get their attention. No Senator on this side has been able to get their attention. They are absent when we discuss the bill, but when we come to vote upon the items and schedules they are very near the Chamber. They come in then, and up to this time they have been voting without question for every one of these outrageous duties.

I want to believe, and I do believe, that the beginning of the end of that monstrous situation is about at hand. Before I get through I want to read some things into the record which I do not think they can refuse to note and consider, and which I hope will bring them to a realization of the error they are about to fall into; not the error only, but the pit that was dug for them.

Do not tell me that the old guard Republicans, representing the protected industries in the country, want these agricultural products protected. No, they never have allowed them to be really protected. They have prevented them from being protected. They do not want them to be protected; but early in the discussions in the committee the old guard discovered that they would not be able to pass a bill imposing these prohibitive rates upon manufactured products, these ultraprotection rates, these rates protecting excess profits and not production, unless they could conciliate the agricultural element and get their votes. The agricultural element did not want to vote for the high rates imposed, but they found that they could not get what they thought they wanted for agriculture unless they agreed to these high rates.

So we have here a bill, as a result of that transaction, of that trade, if it was a trade, of which neither party to the trade on the other side of the Chamber approves, containing fake protection to agriculture which, although fake, is still obnoxious to the old guard, and containing high protective and prohibitive duties on manufactured products which are, of course, really obnoxious to the farming element; but these antagonistic elements, as different as oil and water, have come together, and they have worked together up until the little break that we had a few days ago, and the additional break we have to-day.

In confirmation of the statement I have made that we have been at last able to reach the old guard membership of the committee—and that controls in the majority membership of the committee—let me make this statement. New England is the dominating element of that committee, and with the aid of one or two of the old guard from other sections they have been able absolutely to dominate the committee. The result is that we have a tariff bill made in the interest of one section of the country and against the interest of every other section of the country. We have a tariff dictated largely by the protected manufacturers of New England and the North.

Those gentlemen came down here. They did not know anything about what was the difference in the cost of production here and abroad. They knew very little about what was the selling price of the American product as compared with the foreign product in the domestic market. They did not care anything about it. They knew what they wanted. They wanted a tariff high enough to protect them in their present exorbitant profits against foreign competition, and then they wanted an opportunity on the part of the President to raise that tariff high enough still to protect them against foreign competition in case they saw fit to further raise their profits. They told the committee what they wanted, and they got what they wanted.

What happened? I was not permitted to be present, but I find in the Daily News-Record of New York a very interesting article. I do not know to what party that paper belongs, but I have been told that it is a Republican paper. I read an article by the Philadelphia bureau of the Daily News-Record appearing in that publication, dated Philadelphia, May 17, as follows:

PHILADELPHIA, May 17.—Rumors that the tariff bill, now before the Senate, is in jeopardy and may not be passed at the present session without material support from the outside are current here. It is said

that Senator McCUMBER this week privately advised some prominent manufacturers that unless manufacturing interests actively support the measure its passage by its present supporters can reasonably be doubted.

In this connection it is pointed out that manufacturing interests generally made strong representations to the Senate Finance Committee when the bill was being rewritten, and, having obtained the schedules desired in many instances, rested on their oars, instead of continuing the support that friends of the bill in Washington feel it must receive if it is to become a law.

It is also hinted that the entire wool schedule may be subjected to strong attack from protectionist quarters on the ground that the rates are too high, and that this may materially aid Democrats who assail it for purely political reasons. Another point made is that many staunch Republican newspapers have voiced criticism of the schedules as they now stand, and as things are shaping themselves friends of the bill may find themselves in an isolated group unless their position is vigorously supported from the outside.

About to be deserted by some in their own ranks, not knowing whether they will be able to hold the agricultural element over there in support of the high rates, they begin to fear the fate of the bill; they begin to comprehend that possibly the solid phalanx with which they started has been punctured and broken, so they appeal, very naturally, according to this article, to the very interests which came here and camped upon the committee day in and day out, night in and night out, until they had prevailed upon or dragooned that committee into giving what they wanted.

The committee had the right to send out this call under the circumstances. They had the right to say to those people, "Come and help." But, Mr. President, it is a very peculiar thing to happen that the American Congress, having made this bill in its committee in favor of certain interests, will now call upon those interests to come here and, by lobbying methods or any other methods or influence they can exert, bring to bear enough influence upon this body to secure the passage of these unjust rates imposing taxes upon the American people. They will come, Mr. President. It will not be long, if they become convinced that the bill is in jeopardy, before the corridors of this building will swarm with profiteers and protective flies, just as the corridors in front of the Finance Committee swarmed with them while the bill was being framed.

Now, I desire to do some more reading. I read the other day from Republican papers, protectionist organs of the Republican Party, orthodox and hidebound in their protection theories. That is the kind of papers I read from the other day, but now I think we have to some extent reached the old guard crowd over on the other side of the Chamber and have brought about the new situation which exists and is so gratifying to the friends of justice and sound legislation. I am going to read to-day what the independent papers are saying and what the farm papers are saying and what the trade papers are saying.

I hope that this may find lodgment in the minds and hearts not only of the old guard but more particularly of the progressive element over on the other side of the Chamber, which it now appears is to supersede in power and control the Republican Party in the United States, the old guard having brought that party to a position before the American people which the people can no longer endure. I speak now to those who are to become the leaders of the Republican Party in the elections this coming fall, the party which is to be led by such men as Beveridge, Pinchot, Norris, Lenroot, and Capper.

But first let me read an editorial from a very good paper, one of the class I have described, sent to me by a merchant in my own town. What I shall read is an editorial from the New York Commercial of May 16, 1922. You may cast aside what the Democratic papers say about the bill if you wish, but in the name of high heaven why should you think that a paper of commerce, a paper devoted to the consideration and discussion of questions of trade and commerce, should misrepresent and unduly criticize the bill? I think the New York Commercial is Republican. I know from the article that it is a protectionist newspaper. The article makes that plain. I think it is also a Republican paper. There are not many Democrats in the North or in New York who are protectionists. The article says:

TARIFF DISSATISFACTION CRYSTALLIZING.

Something must be wrong with the Republican tariff policy as expressed in the Senate Finance Committee's bill now under debate, if it is unable to obtain the indorsement of Republican newspapers.

The New York Commercial has seen that the bill has not had the indorsement of Republican newspapers as well as we have seen it. Its great editor there, at, politically and commercially, the peak in the United States, with a sweep of vision that takes in the whole country, starts out with the statement that the bill is unable to obtain the indorsement of Republican newspapers. I take it, therefore, it must be accepted that that is the fact, and the tariff bill which can not obtain for it the indorsement of Republican newspapers must be a very bad bill; it must be fraught with the greatest consequences of disaster to the American people.

But let me proceed:

It is no good for Senator McCUMBER to denounce the newspapers for not agreeing with him, for the people of the country can hardly subscribe to the theory that the newspapers are all wrong and only Senator McCUMBER is right. It is too much like the remark of the proud mother as the parade went marching by, that "They are all out of step but Jimmy."

One of the greatest complaints against the tariff bill is that it places exorbitant duties upon articles of which we import few, if any. One might argue that this could do no harm.

We have heard that argument made here. If there are any imports, they say, the duty will not do any harm, and why do you object to it? The answer might be, Why did somebody ask for it?

One might argue—

Says this great newspaper—that this could do no harm—

That is, these high protective duties when there are no imports or but few—

because if the goods were not imported there would be no duty to collect. That, however, is not the point of the argument.

Now, the point is—

It is the fact that manufacturers and distributors here would immediately advance the selling price on the basis of the higher duties, just as though the goods were imported freely.

This great commercial paper, which is published in the metropolis of the United States, expresses the unqualified opinion that, whether there are any imports or not, the manufacturers and the merchants and the distributors would raise the price to the extent of the duty. Of course, Mr. President, that could not be true where there existed such a condition as I shall describe a little later. I continue reading:

On items which are largely imported, either in whole or in part, the complaint is that duties are carried far beyond the point needed for protection or revenue; that they are in too many instances prohibitive. The effect of this is to increase the price to the consumer beyond any legitimate level.

There would seem, therefore, to be basis for the charge of an unnecessary increase in the cost to the consumer on so many items as to make an appreciable increase in the cost of living, an increase that would be wholly artificial. The Commercial does not view the tariff problem from the partisan standpoint. It attempts to measure it according to economic law. The test is whether or not the welfare of the whole American people will be advanced or retarded. While sufficient protection—

And the newspaper from which I am quoting believes in proper protection, from the traditional and platform Republican viewpoint—

against ruinous foreign competition for all industries should be furnished, excessive protection is unnecessary protection and can only result in excessive profits for those directly interested. Those excessive profits come from the high costs to the American people, which means that the people are being taxed for the benefit of particular interests, just as though the tax were specifically levied by direct impost.

The tariff is also faulty in that it erects a Chinese wall around the United States, entirely forgetful of the principle that if we do not buy we can not sell. These defects are all so glaring that no one who makes a careful study of the problem is able to commend the bill.

That is what I have been saying all the time. If we could just get Senators to study this bill for themselves, whether they are low-tariff men, as Senators are on this side of the Chamber, or moderate-tariff men, or protectionists—if they would just study the bill and see what it will do I should have no apprehension at all. This article continues:

The debate now going on is largely perfunctory. It is made chiefly to the Presiding Officer and the recording clerks. There are seldom more than half a dozen Senators present except when there is a roll call, when the Sergeant at Arms hustles out and rounds up enough Senators to make a quorum, who then vote on strictly partisan lines, regardless of the debate.

If the tariff debate is prolonged all summer, as seems likely, it may be that the people will become so thoroughly dissatisfied that they will not only change the political complexion of the House but will demand a change in the method of tariff making.

MR. NORRIS. Mr. President, may I interrupt the Senator from North Carolina?

MR. SIMMONS. Certainly.

MR. NORRIS. The Senator from North Carolina has just made a statement that interested me very greatly. I have wondered for a good while if in the Senate here we could not get enough Senators from both sides of the Chamber to form a sort of a nucleus around which there might be organized, without regard to this bill, a group of men in the legislative body of our country who would make an attempt to frame a tariff bill along the lines that the Senator from North Carolina has just said he favored?

I have always felt as to the manner in which tariff bills are framed—and the suggestion applies to both parties equally, for the same method has been pursued as to all tariff bills with which I have ever come in contact—that it naturally invites partisanship, and I firmly believe that any legislation, no matter what it may be, if it is built up on partisan grounds and is made a partisan measure, can not be so good as though it were built on a different principle which eliminated partisanship. I should

like to join with the Senator from North Carolina, or with any other number of Senators, to try to build up the kind of legislative nucleus which I have indicated.

Mr. SIMMONS. Mr. President, I heartily approve of the suggestion of the able and conscientious Senator from Nebraska. I have long dreamed of the possibility of doing what he has suggested, and I had hoped when we established the Tariff Commission that we should find it possible to evolve out of that agency a better method of framing tariff laws.

Mr. WADSWORTH. Will the Senator from North Carolina yield to me?

Mr. SIMMONS. I shall yield in just a moment, if the Senator from New York will pardon me.

I still hope that what I have indicated may come to pass. I desire to say for myself that if this bill—and I think I have studied it carefully—were based upon what I consider a fair, honest, just application of the principle of protection, as it has been defined by the Republican Party, while I should disapprove of the bill and vote against it on account of the protective principle, I should not myself have been disposed to have taken up much time in its consideration, because I would have recognized, in that case, the right of the Republican Party to pass a bill along those lines.

Mr. WADSWORTH. Mr. President, now will the Senator yield?

Mr. SIMMONS. Yes.

Mr. WADSWORTH. Would the Senator be willing to join a group in the writing of a protective tariff measure and do it in a nonpartisan spirit?

Mr. SIMMONS. No; I would not. I do not suppose that any body which we might create would be created to write a protective bill any more than a low-tariff bill. Their function would be to write a fair tariff bill, without any regard to any particular theory of tariff legislation.

Mr. WADSWORTH. I understood the Senator from Nebraska to express the hope that some day a group of Senators might be formed who would write a tariff bill in a nonpartisan manner.

Mr. SIMMONS. Yes; but he did not say a protective tariff bill or a free-trade tariff bill or a low-tariff bill; he said a tariff bill.

Mr. WADSWORTH. Does the Senator think we can ever get the tariff out of politics?

Mr. SIMMONS. I do not see why we can not.

Mr. WADSWORTH. If it is done in your way; yes.

Mr. SIMMONS. No; I do not insist that it shall be done in my way. In that matter, as in everything else in the form of legislation, I would consider the interests of the people of the country, and I would forego my opinions to a reasonable extent by way of compromise, as I have done so many times since I have been a Member of the Senate.

Mr. NORRIS. Mr. President, I do not want unnecessarily to interfere with the line of argument the Senator from North Carolina is following by leading him in a somewhat different direction, but everybody knows that whenever there has been a tariff bill framed, regardless of the party in power, the procedure followed in the House and the procedure followed in the Senate has been something like this: The committee representing the party in control frame the bill, without any consideration of the minority members of the committee, and when they have framed it to suit their ideas the minority members of the committee are called in, not to help them deliberate, not to help in any other way, but simply to be notified of the medicine which they have to take. Then the Republicans are expected to follow the Republican side and the Democrats the Democratic side. The result has been that, as a rule—there have been some exceptions, of course—tariff bills have been framed in accordance with the opinions and evidence of men who had a direct interest one way or the other in the legislation to be enacted.

Every man who has had anything to do with courts and witnesses and juries knows that kind of evidence is always poor evidence, and if no evidence is heard on the other side—in this case the people's side—the result is very often worthless. Why should we not frame a tariff bill along nonpartisan lines? Why is not that possible? Why do we say that the tariff has always got to be a matter of politics because it always has been a matter of politics? If we had proceeded on that theory as to everything else, if we were to follow along a certain line merely because our forefathers followed along that line, we would now be barbarians. There never was an advance made in civilization but that it became necessary to get rid of something that was old and worn out. In this enlightened age to me it seems to be perfect folly to say that we have got to have a tariff bill made on partisan lines when we know that even this aisle does not

divide Senators along those lines. There are Senators on the other side who believe in protection; there are Senators on the other side of the aisle who believe in higher tariff rates than I do on this side of the aisle; but if we are going to make a political scrap out of it they are supposed to line up one way and those on this side are supposed to line up the other way, and while we are fighting over party advantage special interests wipe the slate clean and steal everything in sight.

Mr. SIMMONS. Mr. President, I thank the Senator very much for his contribution. I agree with him, as I have said before.

Now, Mr. President, I wish to read from some independent newspapers. Some of the Republican newspapers from which I have read have been charged with being the mouthpieces of the department stores. I do not know what charge will be made against the independent newspapers.

The Brooklyn Eagle—I have understood that it is classed as an independent paper—speaks as follows:

Nothing better could have been expected from Democratic newspapers, but it is beyond a joke when Republican organs assail the Republican control of Congress on the sacred issue of protection. It is a disagreeable and even a portentous reminder of the Republican revolt which greeted the Payne-Aldrich tariff bill during the administration of Mr. Taft. . . . It may be necessary to revise existing rates, although revision is at least questionable when a considerable volume of Republican opinion is against meddling with business in its present unsettled condition. But when revision includes taxes on food and taxes on raw material which enters into the production of necessities that all must use it requires no gift of prophecy to predict a quick rise in the cost of living all over the land. With this prospect in view is it any wonder that Republican newspapers fear for the future of a party responsible for placing new burdens upon the shoulders of the people? . . . If the Republican leaders of Congress can not see what is visible to Republican newspapers of distinction all over this country they are in a sorry plight.

That sentence, Mr. President, contains in it volumes which the other side of the Chamber ought to digest.

If the Republican leaders of Congress—

I repeat, quoting the editorial from this great paper—can not see what is visible to Republican newspapers of distinction all over this country—

Not where there are great department stores and scores of great importers, but all over this great country of ours—

they are in a sorry plight. Those newspapers protest against the tariff bill, not because they wish to make trouble for the Republican Party—

They are Republican papers that this editorial is speaking of—

but because they know that persistence in folly by the party itself will inevitably lead to disaster at the polls.

Not only are these great Republican papers against it because they think it is against the highest public interest, but they are against this bill for partisan reasons, because they think they see in it the germs of disaster to the Republican Party in the country.

I read from the New York Evening Post, another great independent paper, published at the center of commerce and information in this great country:

There are just two objections to the McCumber-Fordney measure; it is based upon no scientific principle, and its individual schedules won't bear analysis. We hesitate to quote the Chicago Tribune.

That is the paper I quoted the other day, a great Republican paper. Its quotation so irritated the chairman of the committee that he made a sharp reply.

We hesitate—

Says this independent Republican paper—

to quote the Chicago Tribune, after Senator McCUMBER's terrible arraignment of it as a mouthpiece of the department stores, but in an editorial in which the tripling of the present duty upon aluminum is analyzed, the Chicago newspaper remarks—

I had not examined that. The editor says they have tripled the duty upon aluminum. My God, Mr. President! If there is a trust in this country—and they have a branch in my State; I do not want to say anything more against them than I am compelled to say—but if there is a recognized trust in this country, it is the Aluminum Trust. I say right here, by way of interjection in passing, that when I find a trust in this country which has risen to a position where it dominates prices and stifles competition in this country, in violation of the law, I will never consent, as a Member of the American Congress, to make that conspiracy against the law of the land effective by relieving it against foreign competition, which is the only remaining hope of the people for relief from the monopoly thus created.

Let me repeat:

But in an editorial—

Speaking now of the editorial in the Chicago Tribune—in which the tripling of the present duty upon aluminum—

There were no importations of that, practically, before the war; there was a good deal during the war and a little after the war; the German trust was unloading some of it over here on the American trust; but before the war these two trusts divided the world and did not interfere with each other.

But in an editorial in which the tripling of the present duty upon aluminum is analyzed, the Chicago newspaper remarks—

The Tribune, it means—

Every hour's study of the bill, even by a layman—

Not by an expert on the tariff, not by a man whose experience in tariff legislation has placed him on the great committee or at the head of the great committee in charge of the financial affairs of the Government—

Every hour's study of the bill, even by a layman, reveals some point of such remarkable possibilities for evil and injustice as to cast doubt upon the value of the bill as a whole. Senator McCUMBER seems to think that opponents of the bill have been answered when their motives have been impugned. But would there be any harm in taking into account the considerable number of voters who are so benighted as to believe that reason ought to play a part even in the framing of a tariff law?

Again, Mr. President, quoting from the New York Evening Post (independent):

The paradox of Congress forcing protection upon a manufacturer who protests that he doesn't need it or want it—

And we have had instances of this sort. In the case of these vegetable oils we have had manufacturers protesting against the duties imposed on their raw material forced on them; and there are many other instances—

The paradox of Congress forcing protection upon a manufacturer who protests that he doesn't need it or want it deserves a place in the museum of political curiosities. What is the psychology of such an attitude? Apparently there is a tariff type of mind which instinctively revolts at the sight of an untaxed article from abroad. A product which does not pay off at the customhouse gives such a person an uneasy feeling, as if the world were going to pieces.

Why, Mr. President, I heard one Senator say what in substance meant that he was in favor of putting upon any article produced in this country hereafter an adequate and "sufficient" protective duty to keep out the foreign article. Everything must be tagged with a duty. Every article that comes in must come in with a high tariff tax saddled on its back. If it does not come in, the producer in this country raises the price; if it does come in, the American consumer also pays the tax on the imported article.

Deep in their hearts—

Says this great paper—

Deep in their hearts members of the Fordney school of economics must be ashamed of having a free list at all—somehow it looks like an admission that the tariff system is not 100 per cent perfect. Tariff makers of this kind approach their task in the spirit of the fanatic.

Now, let me read from another paper, a nonpartisan paper. It is The New Republic. This paper is said to be very radical upon certain lines, and I think it is, but it is not a low-tariff paper. It is not a hidebound partisan paper upon the subject of the tariff. It is a free lance. It speaks its mind, as the great Senator from Nebraska [Mr. NORRIS] has the habit of doing, free of fetters and trammels. This great nonpartisan paper says:

The tariff makers in the Senate have interpreted a vague protectionist emotion as a mandate for letting every special interest in the country have just as high protection as it wanted.

The war has left our industrial rivals battered and anemic. Is it strange that our industrial leaders should find a favorable occasion to go out after the commercial hegemony of the world? We have the greater part of the world's financial resources. We have an unlimited supply of what is the cheapest labor in the world, when efficiency is taken into account. If our manufacturers can pursue the policy of selling at a loss in every foreign market where our rivals appear to be making progress, why can we not eventually rule the world industrially? Our manufacturers can afford to sell at a loss abroad, provided they are enabled to charge monopoly prices at home.

Oh, yes; if you will just protect them against foreign competition, let no man's legs be long enough to scale the wall of protection, turn over to these trusts and monopolies that dominate many of the industries of the country the domestic market and permit them, with the consent of the Congress of the United States, supposed to represent the people of the United States and the welfare of the country, to charge in the domestic market whatever they please, then, enjoying the high prices of monopoly, they can afford to undersell the foreigner, or even to sell at a loss in all the other markets of the world.

This paper adds:

And that is what the present plans of the Republicans would enable them to do.

As for ordinary Americans, the employees in commerce and industry, the farmers, and the small shopkeepers—what will they get out of the policy of commercial imperialism? They will get the bills. They will also get a contingent claim upon the fruits of the national hostilities that will arise when "Made in America" has come to stand as a symbol for monopoly and sharp practice.

Now I want to read from another trade paper, the Shoe and Leather Reporter:

The tariff bill, as framed in the House and mutilated by the Senate Finance Committee, should be laid on the table and forgotten. It is about the worst piece of revenue legislation in the history of the Government.

I heard one Senator, claiming to represent the agricultural bloc—the man who went before the committee and secured these high rates upon certain farm products—say that this was the best tariff bill ever passed in this country.

I thought it was very strange that the junior Senator from Idaho [Mr. GOODING] was selected to represent the bloc, because I regard him as the highest protectionist I ever heard utter a protection sentiment in this country. He goes further in behalf of excessive protection than any man I have heard talk in this Chamber or outside of it. He declares that practically everything which comes into this country from abroad shall come in carrying a high tax, if not with a prohibitive tax, and that that shall apply not only to existing industries but industries which may be in the womb of the future, which may be unborn, which may not even have been conceived in the womb of time and possibility. I continue reading from this article:

It is about the worst piece of revenue legislation in the history of the Government. It is full of blunders, contradictions, and inequalities, and for every clause acceptable to an industry something follows of an objectionable character.

It should be plain as noonday sun—

To a man who always looks through a glass darkly the noonday sun is never plain, and I am afraid there are many hidebound protectionists in this body of that stripe—

It should be plain as noonday sun that it is not possible for Congress to frame an adequate bill at this time. Industrial and commercial conditions in all the countries of the world are in a state of flux.

We have not the figures showing the difference in the cost of labor here and abroad. We are not able to ascertain the fundamentals upon which a just and fair tariff, even upon the theory of the Republican Party, can be framed, and yet, without a guiding light, these gentlemen go and pile up taxes—25, 30, 40, 100, 200, 300 per cent—upon articles which the people of this country are forced to buy and consume. This article continues:

Whatever appears to be a good set of tariff clauses to-day might be completely out of alignment and inadequate to-morrow.

I am taking too much of the time of the Senate. I have here extracts from three leading farm papers, one of them the Southern Farmer, published in Houston, Tex.; one the Business Farmer, published in Mount Clemens, Mich.; and the other the American Agriculturist, published in New York. I want to put these in the Record without reading.

There being no objection, the matter referred to was ordered to be printed in the Record, as follows:

The Southern Farmer, Houston, Tex., calls the Senate tariff bill "a betrayal of agriculture" and says: "The promise for protection for farm products is impossible to bring about, because we are an export nation for the main farm crops. This tariff will bring the farming regions of the West and South under still greater bondage to the industrial sections of the East and North. The emergency tariff showed the fallacy of any tariff helping prices for farm products to any extent worth considering. The bill is one written by special interests for such interests, with little regard to the plain people of the country, and it takes no prophet to foretell what its enactment will cost the Republican Party responsibility for it."

The Business Farmer, Mount Clemens, Mich.: "Nearly all of the agricultural items are in terms of specific duties. Reduced to an ad valorem basis at current valuations and compared with the ad valorem rates on commodities of which the farmer is a large purchaser, we find that the agricultural schedules are actually among the lowest on the list. Of what benefit to the farmer is a 25 per cent duty on a world grain like wheat, of which we produce a large surplus, when he must turn right around and pay a 40 to 80 per cent duty on the majority of things he buys? * * * The duty on sugar is an affront to every American consumer. But three and a half million Michigan people are asked to add several million dollars to their sugar bill for the direct benefit of a few hundred sugar-mill stockholders and a very small indirect benefit of a handful of beet growers."

American Agriculturist, New York: "They—our legislators—must bear in mind that products basic to the proper production, such as raw fertilizer salts, must be duty free, so that production is encouraged as cheaply as possible."

Here is an editorial clipped from The New Republic, from which I read a little while ago, relating to some of the mathematics of the Senator from Kansas [Mr. CAPPER] about the tariff. It reads:

According to Senator CAPPER'S arithmetic we are losing \$3,000,000 by every day's delay in enacting the tariff law. We lose one million dollars in revenue and our industry loses two millions in money return. That is at first sight a horrifying sum of losses in these hard times. But let us wait a moment before crying out. When money is lost somebody usually finds it. What becomes of these three million? It remains in the pockets of the consumers, who do not need to pay it, in the shape of higher prices, to the Government and to the beneficiaries of protection. Senator CAPPER'S arithmetic, then, seems to

leave us just where we were before. We shall have to look at the tariff question from some other angle if we desire a glimpse of the realities.

What is the prospect of a swift recovery from depression? There can be no recovery until agriculture again enjoys satisfactory prices, and agriculture will not enjoy such prices until our European customers can find means of paying for American foodstuffs and raw materials. Whence will they find the means? They have no gold. Their credit is grievously impaired. Their only practicable resource lies in their exports; exports to America, or to other countries that are sending exports to America and thus have bills with which purchases in America can be made.

This is the simple economics of the question. We can not fully recover from depression without a stimulus to our agricultural exports. There are no resources with which to pay for such exports except imports. Yet Senator CAPPER and his colleagues of the agricultural bloc are demanding the erection of formidable obstacles against the import trade.

I will read now from the New York Herald, getting back to a Republican paper, although I understand that the New York Herald claims it is rather more independent than partisan. Anyhow, it is one of the greatest and ablest papers in this country. It is one of the most independent papers in its opinions and in the positions which it takes and advocates.

Mr. SMOOT. They are bitter against the bonus.

Mr. SIMMONS. They are bitter against this bill. The fact that a man who is against the bonus is also against this bill does not prove that your bill is good. That seems to be your logic, and seemed to be your logic the other day, that because I was against certain taxation plans to raise money for the bonus there was no force in my opposition to this bill. Because a newspaper is opposed to the bonus, you can see no merit in its opposition to the tariff bill. That is argument and reasoning and logic worthy of the architect of this bill. It is the character of argument with which this bill has been in large part defended.

The New York Herald article reads:

It is the conclusion of a mathematical expert, according to Senator McCUMBER, that at the rate of progress so far made with the amendments the tariff bill will be passed on September 29, 1946.

Well, the American public may think that a quarter of a century from now will be soon enough to pass the new tariff measure if it can not in the meantime be riddled of its economically objectionable and politically dangerous provisions.

The people demand that their taxes shall come down, their cost of living shall come down, and the barriers against selling their goods abroad shall come down. If the only kind of tariff measure they can get from the present Congress is one that will jack up their cost of living still higher when it already is too high, and make it all the harder to export their surplus products when it already is hard enough to export them, then the American people do not want any statesman to rush himself out of breath over the passage of this tariff.

You are in a great deal more of a hurry about passing this bill than the people are. You are in a great deal bigger hurry about the passage of this bill than the unbiased leaders of thought of the Republican Party are. You thought in the beginning that by your threats of long sessions and night sessions, by your silence under attack, by your charges of a filibuster this bill might be voted upon before the rank and file of the Republicans in this Chamber, especially the Progressive and agricultural bloc, and before the people of the country, led by the newspapers of the country, had an opportunity to find out what was in it and to express their condemnation in advance of your hasty action. Against that disaster this side of the Chamber protected the country in its fixed determination, which it has pursued and will continue to pursue through the day and through the night, if we sit from the early eve to the early morning hours. This side of the Chamber has rescued the country from that danger and that threatened disaster, in my judgment, by its determination that the provisions of this bill shall have ample discussion to enable not only the representatives of the people who are to vote upon it to understand it but to enable the people of this country, irrespective of party, to understand it, and have an opportunity to express their opinion understandingly. The New York Herald article further says:

They will be content to wait till the cows come home for a Congress that has sense enough to know costs must be reduced, not inflated, and that has ability enough to frame the kind of tariff that is necessary to the welfare of the country.

The same paper continues:

If Senator McCUMBER seeks Republican approval of his tariff, seeks it throughout the country, whether from newspapers or from individuals, the way for him to get it is to make a better tariff measure. His measure is not a sound economic product, and it will not be a good thing for the country with its excessive duties and with the certainty that such duties will increase the public's cost of living.

I probably read that before, Mr. President, and I desist.

I have read these editorial comments from these great lights of the Republican Party, nearly every one of which constitutes a bright particular star in the Republican and protectionist firmament, in order that the other side may have before it the views, the criticisms, the condemnation, and the denunciation of these papers generally throughout the country, not only

Democratic papers, but Republican papers and independent papers alike.

Mr. McLEAN. Mr. President—

Mr. SIMMONS. If the Senator will pardon me, I am very nearly through, and I am so tired that I do not wish to prolong this discussion. I am not physically able to do it.

The balance I wish to say I shall be compelled, in self-protection, largely to read, without the heat of discussion, which has led me into exerting myself beyond my strength.

I want now to address myself especially to the agricultural bloc in this Chamber. I do wish more of them were here. I see but five of them in the Chamber. I do not know whether or not all of them will listen to me while I read.

Mr. SMOOT. There are six on the other side.

Mr. SIMMONS. I am not talking about my friend from Utah. I am talking about the agricultural bloc now.

I desire to read what I regard as probably the highest Republican authority in this country as to the effect of the bill upon the agricultural interests. He discusses it in a way that makes clear what he thinks of the measure and what the measure does. The speech to which I refer was made a few days ago in the city of Washington, being an address to that great body of business men who have been assembled here in convention as the representatives of the commerce of the United States, the organization known as the United States Chamber of Commerce. Secretary Hoover first addressed the convention, and I am glad to say that the speech which I am going to read is given equal treatment by the Evening Star, which I regard as a very fair paper, although I do not agree with it politically. It is a very able newspaper.

The address I refer to was delivered by Mr. James R. Howard, president of the American Farm Bureau Federation of Chicago, Ill. Who is Mr. Howard? He is, as I am advised, a Republican in politics, but an honest, fair-minded man, and recognized as one of the highest authorities upon questions pertaining to agriculture in the United States. He is probably the most prominent man representing that great interest in the United States to-day. That is attested by the fact that this great organization selected him to address it upon the subject of agriculture, and his speech followed the opening address of Secretary of Commerce Hoover. Here is what the article said:

Dependence of American agriculture on the European market was strongly stressed by James R. Howard, president of the American Farm Bureau Federation of Chicago, Ill., who said that the farmer has a greater direct interest in European conditions at this time than has the merchant or the manufacturer or the banker. They all have other trade fields to which they can turn, he pointed out, but the farmer has none other.

Now follows a quotation from Mr. Howard's speech:

Europe is the sole customer for our agricultural surpluses, the disposition of which is vital to every American industry. While she is the farmer's customer, she is the manufacturer's competitor.

The point I wish Senators might get into their minds is that she, Europe, is the farmers' customer and practically their only customer, but she is the manufacturers' competitor.

South America, India, Africa, Australia, which are open to the industrial trade of the United States, are the competitors of the American farmer in the European markets.

You ask to put up a bar of protection here against the agricultural products of Africa, India, Australia, and South America. This great agricultural authority tells us that our agricultural exports to Europe have competition there. Last year they amounted to nearly \$2,500,000,000. The four products, tobacco, cotton, pork, and wheat, amounted to \$1,500,000,000. The total agricultural products exported and sold in Europe, which is practically our only market, amounted to \$2,500,000,000, and now this great agricultural authority tells us that when our \$2,500,000,000 worth of American agricultural products reach the European market they are sold there in competition with the products of South America, India, Australia, and Africa.

What do we gain by keeping out the small imports from those countries? In the last year all of them together did not amount to more than four or five hundred million dollars. We keep out the small imports from Canada and Cuba, but what do we gain by keeping those few products out of the American market when it is absolutely certain that \$2,500,000,000 worth of our agricultural products are going to Europe and there meet the agricultural products of the other countries to which I have referred in direct competition?

What folly! What absolute insanity is that proposition for the American farmer with these heavy exports against the other countries which are his competitors when he gets over to Europe. Mr. Howard points all that out. Suppose you drive them out of this market. Suppose you do not let them bring in the few things which they send now. They will carry them to Europe. Every part of this world produces its agricultural

products in sufficient quantity except Europe. Europe is the agricultural market of the world. If you drive out these agricultural products which are now coming from those countries to our market, necessarily they will go to the European markets, and you merely increase our competition there.

Mr. POMERENE. Mr. President, will the Senator yield?

Mr. SIMMONS. I can not yield. I just declined to yield to the Senator on the other side of the Chamber, and I could not in courtesy yield to the Senator from Ohio.

Mr. POMERENE. Very well.

Mr. SIMMONS. Our manufacturers are competitors with the manufacturers of Europe. They are competitors with the people who send imports over here which pay for our exports of agricultural products. It is desired now by the Republicans to raise the wall so high on those manufactured products which we have to take in exchange for our agricultural products—or else we can not sell them at all—that those manufactured products can not come in. We have \$2,500,000,000 worth of agricultural products competing with the world, and you propose to exclude from our market the only coin in which Europe can pay us for those agricultural products. Of course, you leave the farmers absolutely helpless or worse than that. When the farmer sells his products over there he must take in exchange their manufactured goods which compete with our manufactures over here. He must take them in exchange. There is no other way for him to get paid, and yet, after forcing him to sell in this competing market of the world in competition with the products of all the world, you say that the things which he accepts in exchange, for which he trades his agricultural products, shall not come here, although they are his and he has bought them and paid for them with his own goods, that they shall not come into this country except with a load of tax upon them. He can not trade, as the Senator from Ohio [Mr. POMERENE] suggests sotto voce, even for house paints. It is too absurd, too absurd.

But let me proceed. Mr. Howard said further:

Europe now being a debtor she will not be so much interested in furnishing a market for United States products, but rather will be more concerned in finding an advantageous market for the products of that Continent.

What does that mean, Mr. President? That means that Europe, if she finds that our tariff is too high on her manufactured goods with which she wants to pay for our agricultural products and raw materials will simply stop buying those products from us and buy them from Australia, Canada, India, and South America, where there are no such barriers imposed upon her.

Naturally Europe will seek the cheapest possible markets in which to buy food products. This means that the American farmer, under high-wage conditions and with a soil in many sections of the country demanding artificial fertilization, must meet competition of the virgin soils of South America and Australia and crops grown by coolie labor. This is made more serious because we have virtually closed our doors to European immigration and those countries are relieving their congestion by sending their surplus populations to agricultural competing nations. Thus the Argentine, Australia, and western Canada can be depended upon for an increased agricultural production because of their influx of labor from Europe. This also means that the American farmer will have a keener competition in the world's market.

Not only must this competition be met, but sooner or later Russia's experiment in sovietism will end and her reconstruction begin. That reconstruction will be agricultural. It is authentically stated that the various negotiations for loans to the Russians by the Allies have been contingent upon the rehabilitation of her agriculture ahead of her other industries in order that England might have cheaper cereals at home and enjoy the industrial market abroad.

AIDS TO AMERICAN AGRICULTURE.

There are three things which, if accomplished in Europe, would assist greatly American agriculture, viz: That balancing of European budgets, the final settling of German reparations and the stabilization of exchange.

Then he adds:

Three steps are essential in securing this stabilization of exchange.

First, the drafts must be redeemable in some commodity of fairly stable value, preferably gold.

Second—

And this I wish particularly to call to the attention of Senators—

Second, the imports and exports of the various countries must reasonably balance each other; for only in this way can drafts continue to be redeemable in gold.

Third, each country must be at work producing goods for sale and to use in making purchases of other countries; for only in this way can exports and imports hope to reasonably balance each other. These three points tie into each other, but the most important of the three is the last, namely, production.

ECONOMIC BALANCE NEEDED.

The greatest fundamental need is to have exports and imports of goods and services between nations more nearly in balance. This in turn can be accomplished only by resumption of business activities in countries now disorganized in order that they may have more goods to sell and with which to make purchases of our products.

Mr. President, I shall not read further from this article, but I will ask that the remainder of it, which I have not read,

which is contained in this newspaper be incorporated in my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

Production is not only the antithesis of bankruptcy, it is the cure for it. It is the only means by which we progress in material affairs or advance in our standards of living. Half our own domestic trouble lies in lack of production. If the merchant, the miner, the manufacturer, the railroad man (and I am not singling out either capital or labor) had produced as fully during the past two years as the farmer, we would not have become economically unbalanced.

As a Nation we need to learn that idleness is more fatal physically, socially, and morally than is overwork. I can conceive of no better solvent for the present world distress than work—and Europe can only be rehabilitated through the medium of well directed productive energy. It is a part of our obligation to furnish her the opportunity through production effort to solve her own economic difficulties.

Mr. SIMMONS. Mr. President, in this connection I wish to read something from Mr. Lasker. Mr. Lasker also has been talking to the bankers. The article which I shall now read is taken from the Baltimore Sun:

The eloquence of Chairman Lasker of the Shipping Board cast a spell over the Chamber of Commerce of the United States recently. He pictured the future of American shipping, going to all corners of the world, laden with cargoes incoming and outgoing. He was specific, indeed, in detailing these cargoes, particularly the cargoes coming to American shores from abroad—possibly too specific for the peace of mind of some of his administration associates. This is what he said: "We must obtain manganese"—

That is the commodity on which it is proposed to place a duty—

"for our steel mills from Russia and South America; our automobile tire industry must obtain crude rubber from Brazil; our tin-plate manufacturers must import their tin from the Malay Straits and from Bolivia; our silk factories must get their raw product from China and Japan; our manufacturers of twines, canvas, linens, and laces must get their flax from Russia and Belgium. We must also import large quantities of coconut oil"—

One of the very commodities which this bill wishes to keep out, Mr. President—

And other vegetable oils—

Those are anathema to the pending tariff bill—

from the Dutch East Indies, sugar from Cuba, and rice from the Far East.

Those are the commodities Mr. Lasker desires the ships to transport, and those are among the chief commodities which the framers of this bill do not want to come here, but if its proponents can keep them from coming here they will deal a death blow to agriculture and to the industrial interests of the country. Such is the logic of Mr. Lasker's contention.

This great newspaper, The Sun, continues:

Mr. Lasker's imaginative rhetoric was written in blissful ignorance of what Congress is doing. Does he not know that the Senate is trying to write a high duty on manganese? That North Dakota is demanding, and probably will get, an almost prohibitive tariff on flax? As for coconut and vegetable oils, about which not much is popularly known but which are extremely important, are not the dairy and the farming interests demanding a rate of duty which may eliminate these imports from the Dutch East Indies? As for Cuban sugar, REED SMOOT and his votaries are doing their best to keep down imports and raise the domestic price to a point as high as the traffic will bear.

The list might be continued indefinitely. As Senator HARRISON remarks, the free list in the McCumber bill is a fearsome and wonderful thing.

I will not read the remainder of the article, but I will ask that it be incorporated in my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

It reads almost like burlesque. It is not freakish, however, to a Congress that proposes simultaneously to pass a tariff measure which is the highest ever projected in this country and a bill to subsidize and stimulate American shipping for the carrying of a foreign commerce, which the tariff will make virtually impossible. Mr. Lasker in time may be able to see the point. Probably he would now if he were not so exclusively engaged in consulting the oracle about shipping. It is possible, also, that the dominating powers in the administration may see the point and advocate a change in policy. It is bad enough to put through a tariff bill that is economic folly. It is infinitely worse to put it in juxtaposition to a ship subsidy bill which it is bound to nullify in every hope held out for it.

Mr. SIMMONS. Mr. President, I wish to put in the RECORD an article written to the News and Observer, a paper published in my State, by Mr. Bion H. Butler. For 10 years Mr. Bion H. Butler has been regarded as the foremost writer upon economics and financial questions in the State of North Carolina. He has spent his life studying these great questions, and he writes constantly for the newspapers and some of the magazines with respect to them, and his writings are always worthy of reading, because he is fair, he is analytical, he is logical, he is truthful, and he has not the bias of partisan politics. I think he is a northern man, who came to my State many years ago and settled in that great northern colony around Pinehurst and Southern Pines in my State. He has won the respect and the admiration and the esteem of all North Carolina, a large

part of the South, for his character, his judgment, and his ability as a student of the subjects about which he writes.

His article is a very illuminating one. I wish I had time to read it, but I will put it in the RECORD, because I think it will appeal to our Republican friends representing the agricultural bloc. The Butler article discusses the agricultural situation and shows how utterly helpless agriculture will be if this bill shall pass and how absolutely certain it is that this bill will kill the only market in the world for our great agricultural surpluses. On the other hand Mr. Butler shows, just as Mr. Howard has shown, that if we escape competition with the agricultural countries of the world in our own market to a limited extent we will meet that same competition under adverse circumstances and to a very much larger extent in the sale of our two and a half billion dollars of agricultural exports.

The PRESIDING OFFICER. Without objection, the article referred to by the Senator from North Carolina will be printed in the RECORD.

The article referred to is as follows:

HIGH TARIFF NOT FOR THE FARMER—LIMITS FOREIGN MARKET FOR THE PRODUCTS WHICH HE RAISES.

(By Blon H. Butler.)

With the discussion of tariff, and the bunk that is handed out to the farmer about the benefits of that species of plunder called protection it is interesting to look over the March Bulletin from the Department of Agriculture which devotes some time to statistics of imports and exports.

To start with let it be known that agricultural exports for 1921, the year for which the statistics are presented, amount to over 50 per cent of the exports of the Nation. The farm is the one big factor of the country's world trade, yet the farm is the goat in every case where big business tries to present a case. Wheat products exported last year totaled in value \$551,000,000, cotton came next with \$534,000,000, pork products \$246,000,000, and leaf tobacco with \$205,000,000. These four farm crops were exported last year to the extent of more than a billion and a half dollars. This is more than a third of the total value of all exports of every kind. Cotton and leaf tobacco constitute over a sixth of the entire exports of this country.

LOOK AT THE FACTS.

Now the tariff apostles profess that they are going to protect the farmer by levying a tariff on the things he makes so the cheap labor of the Old World will not compete with him. It is amusing to look at some of the competition of the foreign producer. Last year this country imported 51,000,000 pounds of tobacco. But it exported 10 pounds for every pound imported. If we are to be protected at home against the imports of foreign tobacco what are we to do in the markets of the Old World, where we sell ten times as much as the foreign producers sell in our market? America is not a tobacco-buying market. It is a tobacco-selling market. We buy a little of these types that go into fancy cigars and cigarettes, but the great movement of tobacco is from this country, and a tariff of a million dollars a pound would not make our home market any better for the tobacco grower because he supplies his home market and has half a billion pounds on his hands after he has supplied his home market, and he must market that abroad. It is that half billion pounds that goes abroad that makes the price of his tobacco, for unless that surplus sells at a price that will move it out of this country it would stay here to smash the market to absolutely nothing. Yet the high priests of tariff tell the farmers they will put a tariff on tobacco that will give the tobacco farmer his share of the tariff plunder.

When it comes to cotton, the situation is identical. We must find abroad a market for half of our cotton crop. If we do not, we have such a surplus that the price of cotton is wiped out. Suppose we put a tariff on foreign cotton to prevent it from coming into the United States? Where would that widen the market for the American cotton farmer? But if we really want to protect the American producer why not go at it right and forbid the importation of foreign cotton, foreign tobacco, foreign wheat, or anything else, and thus give the American market the complete field? But what good would that do? The farmer would still have on his hands just what he has now—a surplus of his crop that he must find a market for in the Old World, and all the tariffs and all the embargoes and all the artificial obstacles made can not change that situation. Unless the farmer has an outlet for his surplus he dies, and when the farm is wrecked the rest of the country will be walking closely behind.

EXPORTS FAR MORE THAN IMPORTS.

In the five years from 1910 to 1914 the average of farm exports of 21 leading products, as announced by the bulletin referred to, fell a little under \$500,000,000 a year. Last year the imports of the same products ran a little above \$500,000,000. In the same periods the exports were something less than \$1,000,000 a year for the earlier years and almost \$2,000,000 for last year. The farm exports have been doubling, but the farm imports have increased but moderately. The three big items of imports of agricultural products are, first of all, sugar, of which we import more than we make, the amount last year reaching almost 6,000,000,000 pounds. The next big item are hides and skins, amounting to 348,000,000 pounds, and almost as many pounds of wool. We imported much more wool than we raised, and nearly half as many hides and skins. Aside from these items our agricultural imports were about negligible. We had to import these items because this country does not make them in sufficient amount, as the imports show.

And on this exhibit the farmer is to have a tariff to protect him. Incidentally he will have to pay a tariff on all the things that come back from abroad in payment for the things he sells, and that is done to make these things high so we will not buy foreign goods, which is absolutely necessary if the farmer is to sell abroad.

What the North Carolinian gets out of a protective tariff is exactly what the lamb gets at the banquet when he goes to dinner with the wolf.

Mr. SIMMONS. Mr. President, I want to refer briefly to an article which appeared in the New York Herald a few days ago. I am not going to read the article, but am merely going to summarize a few of the things of which it treats. The article is written by a man whom I regard as one of the

greatest reportorial writers in America to-day; indeed, Mr. President, he is entitled to rank with the greatest newspaper reporters of the world. I refer to Mr. Louis Seibold, who is now Washington correspondent of the New York Herald. The article appeared in the issue of May 17. I regret to say that I have mislaid the article since I made the memorandum I have before me, and therefore I can only give the memorandum, but I will have search made for the article, and if I can find it I will ask permission that it be put in the RECORD.

The PRESIDING OFFICER. Without objection, permission is granted.

Mr. SIMMONS. The article contains a most illuminating discussion of the present situation in the Senate. The writer discusses every angle of that situation and the tariff situation.

He declares in substance that the Fordney-McCumber bill has developed insurgency in the Senate. He declares that no scientific plan is observable in the framing of the bill. He declares that the attitude of the press of the country is such that the friends of the bill in the Senate should heed their admonitions; that the resentment against the bill among the Republicans is growing, and refers to the countrywide protests which he says the authors of the bill have ignored, and suggests that strong sentiment is developing for the withdrawal of the bill. I commend to a careful reading the words of this great newspaper correspondent published by the New York Herald, a great Republican newspaper.

Mr. President, I find here only a part of the Seibold article, but I shall offer the part of it I have located. It is as follows:

FORDNEY-MCCUMBER TARIFF DEVELOPING SENATE INSURGENCY—RESENTMENT GROWS AGAINST BILL TRACED TO AMBITIOUS FRAMERS—PERIL OF PARTY BREAK—REPUBLICAN SENATORS, UNINFLUENCED BY FARM BLOC, DEMAND DELAY—FEAR ELECTION EFFECT—WANT MEASURE CONSTRUCTED ON SOUND LINES BY COMMITTEE OF EXPERTS.

(By Louis Seibold. Special dispatch to the New York Herald.)

NEW YORK HERALD BUREAU,
Washington, D. C., May 16, 1922.

The attitude of many Republican Senators toward the Fordney-McCumber tariff bill, now being dissected in the upper House, brings into mind two famous criticisms of the last tariff measure put through Congress by their party.

When the Payne-Aldrich tariff measure was originally passed in 1909 the late J. P. Dooliver, a Senator from Iowa and one of the pioneers in the successful insurgent movement in the Republican Party, made this observation:

"This year has witnessed the perpetration of the two greatest fakes of the century—the discovery of the North Pole by Doctor Cook and the Payne-Aldrich tariff bill."

Four years later, when the same measure was being perfected, Albert Jeremiah Beveridge, then a Senator from Indiana (and now again a candidate), characterized it as the work of the "Taft-Aldrich-Lodge-Root combine and rank with injustices."

Mr. Beveridge's criticism was recalled by some Democratic Senators to-day in discussing the inadequacies of the pending bill pointed out by their Republican associates who are not affiliated with the agricultural bloc.

DESCRIBED AS MONSTROSITY.

Republican Senators who do not acknowledge the right of the "dirt farmer" element in the national legislature to dictate tariff legislation describe the Fordney-McCumber measure as a "monstrosity." Most of their Democratic colleagues who concur in this estimate of the bill express the hope that the Republican majority will pass it, as there will be a revulsion of popular opinion against it quite as decisive as that which followed enactment of the Payne-Aldrich tariff bill and eventually split the Republican Party wide open.

Republican Senators who concede certain reasonable privileges to the agricultural interests frequently have characterized the Fordney-McCumber measure as "amateurish, ill considered, and unnecessary" in the present condition of business both at home and abroad. They say the same thing about the bonus bill, which originated in identical quarters, and, like the tariff measure, was framed with the idea that the American farmer is demanding a bill of which eventually he will become the victim.

There appears to be a genuine demand among many Republicans that the tariff be treated as a business and not a political proposition and that it shall provide a reasonable amount of protection to all the elements of the population instead of only one. Speeches by Republican as well as Democratic Senators have reflected a profound conviction that both parties should cooperate to authorize the Tariff Commission to work out a system better adapted to the economic needs of the country than is provided by the pending measure.

SCIENTIFIC POLICY NOT OBSERVED.

This policy was not observed by the Fordney and McCumber committees, although a provision was incorporated giving to the President authority to elevate or deflate rates on recommendation of the Tariff Commission. This provision is recognized as a sop to the advocates of a genuine tariff system, and according to both Republican and Democratic critics, will prove unworkable, as well as exposing the decisions of the commission to political influences.

In their zeal to please certain agricultural interests of the country the Fordney and McCumber committees are declared by both Republican and Democratic Members of the two Houses to have ignored every other consideration. The charge was made in the Ways and Means and Senate Finance Committees that the chief influences which dictated the construction of the pending tariff bill were of a purely personal character.

Schedules were framed, it is declared, for the sole purpose of winning members of the two committees to support the ambition of Messrs. Fordney and McCumber to report the measure to their respective Houses. That is the generally accepted version of the manner in which the bill was passed by the House and sent to the Senate.

Mr. President, there was much more that I wanted to say about this matter, but, having consumed twice the time that I expected to consume, I shall not trespass further upon the patience of the Senate at this time.

Mr. McCUMBER. Mr. President, about every day or two during the discussion of the pending bill, so long as Senators on the other side desire to kill time and have no argument to make upon the bill itself concerning the real facts that have governed the making of rates in any schedule, we shall, of course, be compelled to listen to hours and hours and hours of reading of editorials from newspapers which represent the importing interests of the country. I know of no way to avoid that situation. When the Senator from North Carolina began his long discussion this afternoon I thought that I would take a few minutes to answer some of the statements suggested by these newspapers; but, Mr. President, they have given no arguments.

I do not desire to enter into a daily contest with the great metropolitan newspapers of the United States which get their advertising from importers and who are necessarily influenced from the source of their supply; but I again invite them to give us some real facts to show that the duty upon any item in this bill is too high; that any duty goes beyond proper and reasonable protection. I do not care what article may be selected—they may take hosiery; they may take gloves; they may take knitted fabrics; they may take anything else. I should like them to specify the article, to ascertain the cost of production at home, and what would be a reasonable profit to the manufacturer of the article, and then to ascertain what it costs to bring the foreign article into the United States, and make a comparison of the cost of production in this country and the cost of the foreign article which competes with it landed at New York, or at any other place in the United States; and then let the American people determine what is a reasonable protection.

If they say that the cost of production is too high, I invite them to show what element in that cost ought to be reduced. I invite them to come out squarely and say that labor's wages are too high, if they think they are too high. I ask them to come out and say that the cost of the material is excessive, if it be true. I ask them to come out and show as definitely and as clearly as possible the profit that is being made by the American manufacturer, and show that it is an excessive profit. It is only by that method that we can determine what is a proper rate of duty.

I agree with one thing that these papers have said. They have declared, and often declared, that this is not just the right time to make a tariff bill. I made the equivalent of that statement in opening the discussion upon this subject, that it is the most difficult time in the history of the United States to formulate tariff legislation; but I coupled that assertion with the assertion, equally positive, that of all times in the history of the United States this is the time when we most need a protective tariff.

Abuse from the press of the country is not argument. The Committee on Finance will welcome the presentation to it of any evidential fact to show that it has made a single error upon a single item, and it will correct that error if it finds that it has made one.

Mr. President, there is another reason why this is not the best time in the world to pass a tariff law. Possibly it might have been better to delay this bill in one respect, because, had we delayed it long enough, the virus of a Democratic tariff would have taken effect upon the American people to such an extent that they would be immune to the poison that is being circulated by these representatives of the importing interests.

Mr. President, I realize that often in this debate there will be only a few Senators present. Senators on both sides understand why this is so. No matter what honeyed words may be used, no matter how often the declaration may be made that there is no attempt to delay action upon this bill, every man in the Senate knows that there is that desire. Every man in the Senate knows that when you discuss a little item hour after hour, day after day, repeating the same argument over and over and over again, you are not acting in good faith. The country knows it. Senators know that it is a time-killing process, and naturally they go out into the cloakrooms or into the Marble Room, telephone for their stenographers, and proceed to dictate answers to their letters; and that will continue just as long as you continue this time-killing process.

Mr. President, in all the years that I have been in the Senate there have been on this side of the Chamber those who have held diverging views as to what constitutes a proper protective tariff, and there always will be; and the same thing happens upon the other side of the Chamber. The only difference be-

tween the two sides is this: We have stood manfully by what we considered a protective policy; but every time we find a Senator on this side of the Chamber who disagrees with the majority on what constitutes a protective policy, we see Members upon the other side of the Chamber come crawling and fawning and flatter and with the last rose of summer kneeling at the feet of some Senator whom they think they can bring over to their view of the case. Mr. President, I have seen that flattering attitude year after year, but with all of the flattery and with all of the fawning I have never yet seen one of them make a success. You may flirt, and maybe have some Members now and then that will flirt with you, but you do not bring them over. They go back to their constituents, and they run as Republicans and not as Democrats. Whenever you have succeeded—only once or twice that I have known of—in bringing a Republican first to being what is called a Progressive, and then a sort of a Socialist, and then a Democrat, he has generally been repudiated both by the Democrats and by the Republicans, and he ends up ordinarily as an anarchist.

Now, Mr. President, I think it is time that we get at our bill again. That is the reason why I am not going to answer these editorials. Some day I am going to take the time to make a short reply to them; but after we have spent the entire day, and have accomplished nothing, it seems to me it is time to get back to a vote.

Mr. GOODING. Mr. President, the editorials that have been read in the newspapers this afternoon, and those that we heard on former occasions, are but very little different from the editorials that appeared when the emergency tariff bill was under consideration. It is quite evident to my mind that the New York Journal of Commerce and a few others of the great daily papers in the large cities are not going to permit, if they can help it, a protective tariff bill to be passed that gives protection to the American farmer.

That is the only reason, in my judgment—one of the reasons, at least—why these great daily papers, that have advocated the principle of protection in the past, are now opposing it—because protection has been properly distributed all over the country; because the farmer for the first time in the history of the country has been given proper protection in any tariff bill, and we find them all arrayed against the farmer. The condition is no different now than it was when the emergency tariff bill was passed; and I want to read just a short paragraph from my remarks of May 10, 1921, when the emergency tariff bill was before the Senate, showing that I had the same view of the conditions at that time:

Mr. President, I am not unmindful that there is a new force behind the Democratic Party to-day that is fighting against protection for the farmer and the live-stock grower. I refer to the international bankers of the country, who have had on a propaganda ever since the emergency tariff bill was introduced opposing the measure and emphasizing the importance of our foreign trade, and it must be admitted, Mr. President, that the international bankers of the country are a mighty force to-day, for they represent billions, not millions, and they have been able to fill the newspapers of the whole country with their opposition to the emergency tariff bill, and at the same time have accentuated the importance of our foreign trade. It is easy to understand why the leaders of the Democratic Party are fighting so bitterly against protection to the agricultural and live-stock growers at this time, for they are receiving much encouragement from the international bankers of the country, who they know will be a mighty factor in the coming campaign in the interests of free trade on farm and range products.

That is practically all there is in this fight to-day. The international bankers who control these great papers in our large cities to a great extent were fighting the emergency tariff bill, and are fighting this bill to-day, because the American farmer is to be given proper protection for the first time in the history of this great Government of ours.

Mr. President, I said at that time that I should be very much alarmed over the future of the great principle of protection if there were not a shifting of sentiment toward protection. I called the attention of the Senate at that time to an organization known as the Southern Tariff Association, who were becoming a mighty factor in the South in educating the people down there in the interest of protection; and I want to say that they are a mighty factor to-day in all the Southern States, and they are accomplishing great things. I want to send to the desk and have read three articles that I find in the Manufacturers' Record—one an editorial from the Manufacturers' Record itself, another an editorial quoted from the Atlanta Constitution, and one from the Fort Worth, Tex., Star-Telegram. I ask that the three articles be read in my time.

The PRESIDING OFFICER (Mr. Moses in the chair). Is there objection? The Chair hears none, and the Secretary will read as requested.

The reading clerk read as follows:

PROTECTIVE TARIFF SENTIMENT AS EXPRESSED BY SOUTHERN FREE-TRADE PAPERS.

[From the Manufacturers Record, May 18, 1922.]

Believing absolutely in the value of a protective tariff for the country at large, the Manufacturers Record has for 40 years been advocating protection for protection's sake. At the same time, it has always recognized that the South was being stabbed in the house of its own friends by its fight against a protective tariff even when a protective tariff was absolutely certain for other sections.

The Democratic politicians have been perfectly willing in times past to fight against protection for the South's raw materials, even when they knew this was putting a club in the hands of the northern and western manufacturers to beat down the South with free raw materials produced by the South. The East and West always very properly demanded a protective tariff on the finished product. They have been unwise, however, in that, while demanding a protective tariff for their own products, they have often sought free trade on their raw materials and the South has thus been made to suffer whether Democrats or Republicans were in power.

Recently the Manufacturers Record called upon the politicians of the South to recognize the fact that a protective tariff bill will be passed by Congress and that if they continued the policy of fighting all protection it would simply mean that the South would again be slaughtered while the rest of the country would have the benefit of protection. We are glad to see that two of the leading papers of the South, following that line of thought, are urging upon the Democrats in Congress that as a tariff bill is going to be passed they do their utmost to see that the South gets its share of a protective tariff.

On this point the views expressed by the Atlanta Constitution and the Fort Worth (Tex.) Star and Telegram are indicative of an awakening of sentiment on the part of southern newspapers that this section shall no longer be sacrificed merely for a free-trade fetish of the past. We commend to the politicians and to the people of the South the following articles from these two leading papers:

TARIFF AND THE SOUTH.

[Atlanta Constitution.]

In view of the obvious certainty that a high tariff bill will be passed by the Republican Congress and put into operation either before or soon after the 1922 elections, despite all that the Democrats might be able to do to prevent it, let us hope that the application of its "protection" will be general to the industries of the whole country, and that it will not be, in effect, a sectional measure.

As the Fort Worth Star-Telegram truthfully said in a recent editorial, which we reproduce elsewhere upon this page, "the big fact that faces us, and which can not be dodged, is that the present Congress is going to pass a protective tariff bill"; and the Texas newspaper takes the very logical position that if, in their zeal to promote the theory of free trade, the Democratic minority oppose the measure to the extent of excluding strictly southern products and southern industries from its protective influence the South will suffer materially and no possible good result will have been attained.

"Democratic Representatives in Congress," says the Star-Telegram, "who come back home and tell their constituents that they 'kept the faith of the fathers' and voted against that bill will give little consolation to the producers of the South if the bill is a one-sided and sectional measure, giving the East a big advantage and placing the South at a decided disadvantage."

From the standpoint of the Democratic South and southern welfare, this is expressive of an altogether reasonable and common-sense attitude toward the pending tariff bill.

Our Texas contemporary goes on to say that while the Democratic Members of the House and Senate may be, and doubtless are, "powerless to prevent" the enactment of the tariff bill, "they are not powerless to obtain protection for the products of Texas and the South" on a parity with the measure of protection to be thrown around the products of the North, East, and West, and that "if the bill is a one-sided affair the Democratic Members who 'keep their records straight' will be directly responsible for it."

The point of the whole matter, from the standpoint of southern prosperity and common sense, is that while the Democratic South is traditionally opposed to the principle of so-called "protection," there is nothing to be gained by stubborn opposition to a tariff bill, the enactment of which, in one form or another, is a forgone conclusion and a certainty.

On the other hand, much may be gained in the way of an equitable distribution of the promised "protection" by yielding to the inevitable and making the best of it.

That is to say, so long as enactment of an undemocratic high protective tariff bill apparently is inevitable the industries of the South should be placed on an even footing with those of the rest of the country in the enjoyment of the protection for which it provides.

If the bill is going to pass anyhow, why should the South be discriminated against and deprived of whatever special benefits the industries of the country may derive from it?

Why should southern industries be made to suffer discrimination simply because southern Congressmen and Senators are desirous of keeping their records straight?

Winfield Scott Hancock, Democratic nominee for the Presidency in 1880, said in one of the campaign speeches that the tariff was a "local issue," or words to that effect.

That statement was ridiculed from coast to coast; but General Hancock was right—the tariff is "local," according to the particular products and industries of a given locality.

And in the same way and to a proportionately greater extent it may be made sectional.

It is to be hoped, therefore, that our Representatives in Congress will not let their opposition to the protective-tariff principle drive them to such an extreme as to alienate the South from the provisions of the bill that is to be enacted by the Republican majority despite Democratic opposition to it in principle.

THE REAL TARIFF QUESTION.

[From the Fort Worth (Tex.) Star-Telegram.]

The question which is being raised by the Southern Tariff Conference is an economic question and not in any sense a political or partisan one. It is not even a question of protection or free trade. It does not fore-shadow a shift in Texas to the Republican column, it does not even mean a growth of "protection sentiment" in Texas or in the South. It is simply the very practical question of whether the products of other sections of the country are to receive the benefits of a protective

tariff and the products of Texas and the South be placed at a decided disadvantage by being denied such protection.

The big fact that faces us, and which can not be dodged, is that the present Congress is going to pass a protective tariff bill. Democratic Representatives in Congress who come back home and tell their constituents that they "kept the faith of the fathers" and voted against that bill will give little consolation to the producers of the South and of Texas if the bill is a one-sided and sectional measure, giving the East a big advantage and placing Texas and the South at a decided disadvantage. The bill is going to be passed. The Democratic Members who are going to vote against it will admit that right now. They will say that they are "powerless to prevent it." But they are not powerless to obtain protection for the products of Texas and the South. If the bill is a one-sided affair the Democratic Members who "keep their records straight" will be directly responsible for it.

No academic discussion of the question of protection or free trade fits this situation. No partisan denunciation of the measure as a Republican measure fits it. If the partisan interests of the Democratic Party require that Democrats shall have nothing to do with the measure, which we do not admit by any means, then the question which is before the Democrats in Congress is simply whether they are willing to sacrifice the interests of the producers of the South on the altar of fancied party advantage. That kind of party advantage, even if it could be gained, would benefit nobody but officeholders and politicians, for it is related alone to political campaign and the holding of office and not at all to the economic interests of the South.

The politicians are in control of the party machinery and apparently the Representatives in Congress are obeying the party without reference to the interest of their constituents. However, the right of petition has not been abolished, and it is to that the Southern Tariff Conference has decided to appeal. It has made little headway with the politicians. It is now turning to the people. If you believe that everything should be done to prevent the new tariff law from being a sectional and one-sided affair, if you believe that everything should be done to protect Texas and the South from the consequences of such a measure, then tell it to your Congressman. The bill is going to be passed. It is going to be passed and enforced by your Government, which is none the less your Government because it is controlled by Republicans. The question is, What kind of a bill do you want it to be? It is up to you.

Mr. GOODING. Mr. President, before this bill is passed petitions bearing more than 1,000,000 signatures will be presented in the Senate from southern States asking for proper protection to southern industries.

Again, I want to say that in my judgment when this tariff question is finally settled it will be settled by the South and West in favor of protection to agricultural interests and to the manufacturing interests, all the way around. The selfish interests of the East are never going to give proper protection to agriculture until they are forced to, and I shall welcome the day when the South and the West will join hands and come here to give the people a fair and an honest tariff measure, which will afford protection for every industry.

Mr. HEFLIN and Mr. LADD rose.

Mr. GOODING. I yield to the Senator from North Dakota.

The PRESIDING OFFICER. Does the Senator yield the floor?

Mr. GOODING. I yield to the Senator from North Dakota.

The PRESIDING OFFICER. If the Senator is yielding the floor, it will be the Chair's duty to recognize somebody.

Mr. GOODING. I yield the floor.

The PRESIDING OFFICER. Then the Chair recognizes the Senator from Alabama.

Mr. GOODING. I merely wanted to say this, in connection with my remarks, that the Senator from North Dakota has a letter from the South which he wishes to place in the RECORD, and if the Senator from Alabama will be kind enough to yield for that for a moment I am sure he will not be delayed.

Mr. HEFLIN. If it is not a very long letter—

Mr. GOODING. It is not a long letter.

Mr. HEFLIN. The Senator just wants it printed in the RECORD?

Mr. LADD. I am going to read just one paragraph, and ask to have the letter printed in the RECORD.

Mr. HEFLIN. Very well.

Mr. LADD. It has been stated here several times on the floor that the tariff furnishes no protection for the farmer. I have received a letter from the United Peanut Associations of America, which shows what the protective tariff has done for them. I read from the letter:

The emergency bill saved the industry: it raised the price to the farmer for Spanish peanuts (variety grown in the far South) from \$28 per ton to \$70; the price of peanut oil from 4½ cents to 10 cents per pound. At prices to-day the farmers of the South will raise peanuts, as they are on a fair competitive basis.

I ask that this letter be printed in the RECORD, together with the card attached to it.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

THE UNITED PEANUT ASSOCIATIONS OF AMERICA.
Suffolk, Va., May 16, 1922.

Hon. EDWIN F. LADD,
United States Senator, Washington, D. C.

DEAR SENATOR: It is a strange coincidence that the South must go to representatives from the North in quest of just and equitable legislation to protect and preserve their industries, but such is a fact; and with a brief statement, the peanut interests of the South wish to ask

your support of Senator GOODING's amendment to the Senate Finance Committee's report on the permanent tariff bill, in which a rate of 3 cents per pound is asked on peanuts in the shell and 4 cents on shelled peanuts; same rates as were incorporated in the bill as it came from the House of Representatives; also to ask your support of amendments Senator GOODING asks on vegetable oils—cottonseed, peanut oil, soya-bean oils, etc.

I am inclosing you a card which contains brief statement of capital invested in the peanut industry and, approximately, number of people engaged in the industry. This will give you a fair idea of the industry, and also please consider that the peanut industry is yet in its infancy. With proper protection this industry can and will increase to many times to-day's value.

Another feature for you to consider is that peanuts make up a cash crop, and is the only cash crop that can be produced in the far southern sections where the boll-weevil pest has made it impossible to raise cotton. You take away the protection afforded by the emergency bill and these farmers will be thrown into the pauper class and their communities made bankrupt.

The emergency bill saved the industry; it raised the price to the farmer for Spanish peanuts (variety grown in the far South) from \$28 per ton to \$70; the price of peanut oil from 4½ cents to 10 cents per pound. At prices to-day the farmers of the South will raise peanuts, as they are on a fair competitive basis.

Imports of peanuts and vegetable oils come from China and other Asiatic countries. Senator, our farmers can not live in huts. We must surround them with some comforts of civilization, and you know they can not support this great Government of ours and compete successfully in a free market with a competitor who lives in a hut and is content with a cupful of rice a day as food. The tremendous markets we have builded belong by rights first to our own people.

Be not confused by the opposition of southern Senators. The producers of peanuts—the farmers—want protection. The southern Senators from the peanut-producing States are putting party politics and their personal political doctrines ahead of the true and just interests of the peanut farmers of the South.

I will venture this assertion: That if the Republican majority in Congress will give the South a permanent tariff protection which will continue the blessings of the emergency tariff bill that this will put the southern voter to thinking, and when these people begin to think, something is certain to happen.

Help the industries of the South to enter into the same measure of prosperity as other sections, as we have the unfortunate condition of having representatives in the Senate who do not properly represent public sentiment on this question. Hence our only course to save our industries is by aid of representatives from other sections who have the broadness of vision to see beyond their own borders and are willing to help all of America alike. This is the thought that is behind us in writing you.

Yours very sincerely,

M. M. OSBORN,

Secretary United Peanut Associations of America.

Commercial statistics.

Value of farm lands devoted to the culture of peanuts, taking the United States Government estimates of 1920 acreage, valuing the land at \$70 per acre as an average.	\$88,362,000
Value of special farm implements required for culture and harvesting peanuts, approximately.	7,700,000
Value of equipment of peanut mills, shelling, cleaning, and crushing machinery, real estate, buildings, storage warehouses, etc.	11,500,000
Capital invested in manufacturing establishments for manufacture of peanut pickers and other special farm implements	750,000
Total	108,312,000

People engaged in peanut industry.

Number of people employed in the mills, shelling, cleaning, and crushing establishments	10,500
Number of farmers (heads of families) estimated to be engaged in the production of peanuts in the United States	121,000
Total	131,500

Number of acres (estimated) in the South that is adaptable to the culture of peanuts and can thus be utilized if a market is available for the product.

9,340,000

Mr. HEFLIN. Mr. President, I have listened to the speech of the chairman of the Finance Committee [Mr. McCUMBER], and also to the speech of the junior Senator from Idaho [Mr. GOODING].

The farmer must not be deceived as to what is in this bill. It is easy for Senators to talk about what they would like to do and what they hope to do, but when we proceed with the consideration of this bill and act upon a provision, we then get the judgment of a majority of this body, and we know then exactly what was intended to be done by what was actually done.

I saw the Republican side of this Chamber vote to increase the tax upon arsenic, used for spraying and for other purposes by the farmers of the United States. Every farmer who uses it hereafter must pay more for it by reason of the tax that you put upon him in favor of those who sell arsenic. Is that protection for the American farmer?

There is a provision in this bill which taxes plant food, fertilizer, potash. You are going to increase the price of that to the farmer by levying a tax upon the stuff he must buy to produce the wherewith to feed his own family and the world. Is that protecting the American farmer?

Every farmer in the country, without a single exception, uses salt, and he uses it in abundance, for various purposes. I saw you last night by a large vote place a tax of 40 cents a sack

upon salt. Then you stand up here and tell us that you are undertaking to protect the farmers of the United States. Would you have the farmer look pleasant while you tell him that you are preparing a sweet and soothing something for him, when in fact the dose that you have fixed for him is a concoction containing so much poison that he can not even taste the grain of sugar put in for the purpose of fooling him?

I am in favor of raising some of our revenue for the Government upon imports, and I favor a rate sufficient to render aid to an industry in this country which has to compete in our markets with a foreign industry. But I do not intend to sit silent and permit you to deceive the farmer and increase the tax on everything that he has to buy many times over, while you give him a little soothing sirup to keep him quiet while the tariff barons accomplish their dangerous deadly work.

Here is a bill with 4,000 items in it. The Senator from Nebraska [Mr. NORRIS] suggested to-day that both sides should from a nonpartisan standpoint write an honest tariff bill and put only the things in the bill that really deserve to be in it.

If that should be done, why, instead of having 4,000 items in the bill there would probably be less than 250. The bill that you have presented was intended to increase the profits and the fortunes of certain people at the expense and to the injury of the American people. Those who are influential and powerful politically and financially wrote into this bill just what they wanted. This bill can not be defended and common honesty demands that we condemn and denounce it.

You have a very dangerous provision in this bill, the one that the Senator from Georgia [Mr. WATSON] touched on in able and eloquent fashion day before yesterday. You have a provision in the bill that transfers from the legislative body to the President, to one man, the taxing power. You have written into this bill that by the stroke of his pen the President can increase the taxes 50 per cent. Who ever heard of such a monstrous thing in a free Government? It has been just a little while since our boys brought back that flag from where they had won victories on a battle field 3,000 miles from home, fighting for liberty and constitutional government. But they come back and find you in power, bartering away the constitutional rights of the Government and turning over the taxing power to the tariff barons—not satisfied with employing the taxing power to put profits in their pockets, but transferring that power when Congress is not in session to the President and providing that he may do it if they demand it when the Congress is not in session. Then you stand up and say that we ought to get out of the way, that we ought to sit silently here and permit you to roll this monstrous thing through this body. Can a man do that and be a patriot? Can he live up to the oath he took in the Senate when he came here and permit you to put something over on the people that he knows is monstrous, that he knows is oppressive, that he knows is wrong?

Mr. WATSON of Georgia. Mr. President—

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Georgia?

Mr. HEFLIN. I am glad to yield to my friend from Georgia.

Mr. WATSON of Georgia. I remind the Senator from Alabama that the estimate is that the bill will bring in a revenue of \$300,000,000 a year to the Government. The most conservative estimate of what a tariff bill is worth to those whose business is protected from foreign competition by it is 5 to 1. Therefore this bill if enacted into law will be an annual bonus of \$1,500,000,000 to the war profiteers, given to them in this Chamber, where the President came to take part in the discussion and to make a speech against the soldiers' bonus bill, which was killed in this Chamber by the very men who are giving this manufacturers' bonus of \$1,500,000,000 a year.

Mr. HEFLIN. I thank the Senator from Georgia for his suggestion.

Mr. President, I believe that it will bring more than that into the pockets of the tariff barons of the United States. I believe that it will put \$3,000,000,000 in the pockets of the tariff barons. Who will pay that money? Why, the masses of the American people will pay it. The consumer always pays the tax. Are you going to put this burden on a people already overburdened? Is the farmer to be deceived again?

Mr. POMERENE. Mr. President—

Mr. HEFLIN. I have finished, and I am glad to yield the floor to my good friend from Ohio.

Mr. POMERENE. Apropos of what the Senator has been saying with reference to the foreign markets for the farmers' products, perhaps a little information which I gathered a few days ago may be of interest.

At the present time there is a controversy between the Hollanders and the United States with respect to the shipment of

coal into the United States. The United States authorities are insisting upon certain regulations which are by no means pleasing to the Dutch of Holland. It has already succeeded in stirring up considerable irritation. One of those Hollanders who is here, a man in high authority, said with respect to those regulations: "The United States Government ought to remember that Holland is not required to buy her wheat or her meat in the United States, and if we are treated as the indications are the Government intends to treat us, we will buy our wheat in Argentina, and we will buy our meat in Argentina or Australia."

That is the situation. Now, let me apply the facts. Last year the wheat crop in Ohio was somewhat short. It amounted to 29,000,000 bushels, just about enough to feed our own people.

This year the Department of Agriculture reports that the crop will be 12,000,000 bushels in excess of what it was last year. That means about that much surplus of wheat for which we must find a market elsewhere. Our market is in Europe, the market that the farmer wants, the market of which the farm bloc here is trying to deprive the farmer under this legislation.

How are the farmers of Ohio going to be affected by a bill the purpose of which is to deprive our manufacturers and, whether it is the purpose or not, which will deprive our farmers of their market in just the way that I have indicated? It must be borne in mind that Europe already owes this country and our nationals about \$18,000,000,000. Europe can not pay us in gold because she does not have it. Europe can not pay us in her depreciated currency because we will not take it. There must be some proper scheme of trade which is going to be reasonable and just to all parties concerned. If we are not going to do anything to encourage those markets, I submit that in the interest of the farmer we ought not to be attempting to deprive him of the market which he already possesses.

Mr. WALSH of Massachusetts. Mr. President, may we have the pending amendment stated?

The PRESIDING OFFICER. The pending amendment will be stated.

The READING CLERK. On page 30, line 14, in paragraph 84, thorium nitrate, thorium oxide, etc., the committee proposes to strike out "25" and insert "45," so as to read "45 per cent ad valorem."

Mr. SMOOT. In paragraph 84, page 30, line 14, I move to strike out the numerals "45" and to insert the numerals "40."

Mr. NORRIS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER (Mr. McCORMICK in the chair). The Senator from Nebraska will state his inquiry.

Mr. NORRIS. I understood that the pending question was on the amendment proposed by the Senator from Ohio [Mr. WILLIS].

The PRESIDING OFFICER. That amendment has been passed over. The question is on the amendment offered by the Senator from Utah [Mr. SMOOT] to the committee amendment.

Mr. HITCHCOCK. Mr. President, it is cheerful to see that there is some recantation on the part of one member, at least, of the Committee on Finance, and I presume on the part of the committee itself. The present tariff rate upon this commodity is 15 per cent ad valorem, and I should like to hear some statement from the Senator from Utah, who now proposes to fix a duty of 40 per cent upon it, as to why the duty should be increased from 15 to 40 per cent.

While I am on my feet, I wish to refer to a statement made by the Senator from North Dakota a few moments ago. He said if it could be shown here upon the floor that any particular duty was excessive the committee would be glad to recognize the mistake and correct it. It is a most extraordinary theory upon which the Committee on Finance presents this case to the Senate. They attack a tariff which has been in force since 1913, and then they shift the burden of proof to this side of the Chamber.

It strikes me if an attempt is made to treble a rate which has been in existence for that length of time or to raise it in any particular the burden of proof ought to be upon the Committee on Finance to show that the change is necessary. But here in one case after another a proposed increase is presented to the Senate and not a word is said in justification of such increase. In this case the Senator from Utah by amendment proposes to increase the present rate on this article, which goes largely into the manufacture of gas mantles, from 15 per cent to 40 per cent, and I should like to hear from him some justification for the proposed increase.

Mr. SMOOT. Mr. President, if the Senator from Nebraska will look at the report of the Tariff Commission he will find that the imports were a little over 25 per cent of the production in the United States, and from the Reynolds report he will find as to thorium nitrate—speaking now of the commer-

cial thorium nitrate—that the foreign value in the United States currency is \$2.23; that the selling price of the foreign article in the United States is \$2.72 and the selling price of the domestic article reported comparable is \$3.50.

Mr. President, the rate of duty in the act of 1909 on this article was 40 per cent and the rate of the duty in the existing law is 25 per cent. If the Reynolds report is correct, 40 per cent will not be sufficient to cover the difference in price between the foreign and domestic product; but I think that there will be a change not only in the foreign valuation but in the American valuation as well.

In 1909, with a 40 per cent rate, with conditions entirely settled, there were importations of this article which were fairly competitive with the commodity made in the United States. I think the ingredients which enter into this commodity being dutiable that 40 per cent is not an undue rate of protection under the conditions as they to-day exist.

I have a late report from the Commerce Department as to the wages paid in this very industry. I do not know that it would make any difference if I should call the matter to the attention of the Senator, but I wish to assure him that this particular item of thorium nitrate, being made from thorium itself, and the process being a rather difficult one and involving considerable labor, the proposed duty is not excessive.

I thought, in the first instance, that 40 per cent was ample, but the committee thought otherwise, and, under the Reynolds report, when the bill was reported to the Senate the rate was fixed at 45 per cent. Since then, however, in view of existing conditions, the committee thought that the rate of 40 per cent which was originally proposed was the correct rate. Therefore I have made the motion to fix the rate at 40 per cent.

Mr. HITCHCOCK. Mr. President, the Senator from Utah referred to the selling price of the article in the United States as an element in making up the duty.

Mr. SMOOT. I referred both to the American selling price and to the foreign selling price of the article in the United States and likewise gave the invoice price. Taking the invoice price of \$2.23, we would have to have a duty of about 60 per cent.

Mr. HITCHCOCK. What is the selling price in the United States?

Mr. SMOOT. It is \$3.50.

Mr. HITCHCOCK. What proof is there that that is a fair price?

Mr. SMOOT. The fact that the article has to compete with the foreign article here on a basis of \$2.23.

Mr. HITCHCOCK. But what reason has the Senator to believe that \$3.50 is a fair price for the product?

Mr. SMOOT. The pre-war price was a little over \$3.

Mr. HITCHCOCK. Not according to my figures.

Mr. SMOOT. That was the price according to the report of the Tariff Commission.

Mr. HITCHCOCK. The imports in 1914 were 147,885 pounds and the price then of thorium nitrate was \$2.30 a pound.

Mr. SMOOT. I will go down the list, beginning with 1914. In 1914 the price was \$3.25; in 1915 it was \$4.25; in 1916 it was \$5.85; in 1917 it was \$8; in 1918 it was \$8; in 1919 it was \$3.75.

Mr. HITCHCOCK. The Senator from Utah is now reading the American selling price?

Mr. SMOOT. No; I am not reading the American selling price; that is the estimated imported price of thorium in the United States. If the Senator will take the Reynolds report, he will find in the remarks following thorium these words:

Last domestic sale, October, 1920. Manufacture discontinued on account of foreign competition.

That was in 1920, and that was the last domestic sale made here.

Mr. HITCHCOCK. In the United States?

Mr. SMOOT. In the United States. If the Senator will turn to the tariff hearings, he will find stated there the following:

The present market price of thorium nitrate made in the United States is \$3.75 per pound, which equals \$8.25 per kilo, and which price represents a profit to the American manufacturers of about 20 per cent on the selling price. This American price of \$3.75 per pound represents a decrease in selling price over the last five years of over 53 per cent and represents an increase over the importer's selling price of 1914, which was then \$3.30 per pound, or less than 14 per cent.

Mr. HITCHCOCK. What is the consumption in the United States?

Mr. SMOOT. In 1913 it was approximately 149,000 pounds; in 1914, 156,000 pounds; in 1915, 210,000 pounds—I am giving the round figures.

Mr. HITCHCOCK. So that the consumption is approximately 200,000 pounds?

Mr. SMOOT. About that.

Mr. HITCHCOCK. And yet the imports from abroad are given in the report as being 35,406 pounds for 1920.

Mr. SMOOT. And for the first nine months of 1921 they were at the rate of 57,000 pounds.

Mr. HITCHCOCK. For the first nine months of 1921 the imports were 44,000 pounds.

Mr. SMOOT. That is for nine months, and that would be at the rate of 57,000 pounds a year, or over 25 per cent of the domestic production.

Mr. HITCHCOCK. In other words, the latest report shows that we are making 75 per cent of the product consumed in this country.

Mr. SMOOT. Not the latest.

Mr. HITCHCOCK. The latest I have been able to get hold of for 1921.

Mr. SMOOT. But the imports are increasing and will continue to increase if the Reynolds report is to be relied upon.

Mr. HITCHCOCK. But they do not approximate what they were before the war. They are less than one-third of what they were before the war.

Mr. SMOOT. I will tell the Senator what they were in pre-war years. In 1911 the imports were 118,201 pounds.

Mr. HITCHCOCK. And now we have only 44,000 pounds.

Mr. SMOOT. Certainly, because they have not gotten fairly started yet; but the imports will be much greater, I will say to the Senator.

Mr. HITCHCOCK. Then, as in the case of other schedules, this schedule has been based upon what it is thought it is likely to happen and not what has happened and not what the statistics show?

Mr. SMOOT. No; that is an unfair statement.

Mr. HITCHCOCK. I asked the Senator what the consumption was, and he said something over 200,000 pounds. I asked him what the imports are, and he says they approximate 40,000 pounds.

Mr. SMOOT. They were 57,000 pounds in 1921.

Mr. HITCHCOCK. That is only 25 per cent of the domestic consumption.

Mr. SMOOT. Yes; but the imports are increasing and will continue to increase.

Mr. HITCHCOCK. Does the Senator mean that we are to shut out competition when it reaches 25 per cent of the domestic production?

Mr. SMOOT. No; I do not mean that. But I say that the figures show an increase in importations, and that the imports are gradually increasing there can be no doubt, as the Senator may see.

Mr. HITCHCOCK. Does not the Senator realize the need of doing business with Germany?

Mr. SMOOT. I do.

Mr. HITCHCOCK. Is it not absolutely necessary, if we are to export our products to Germany, that we must buy something from Germany?

Mr. SMOOT. I have no fear about that.

Mr. HITCHCOCK. But when Germany is not sending us anything how can she buy from us?

Mr. SMOOT. Under conditions existing in Germany to-day and in view of the cost of producing goods there and the wage scale prevailing there, I have no fear that there will not be plenty of goods bought from Germany.

Mr. HITCHCOCK. This tariff bill should be framed upon statistics; it should be based upon facts and not surmises or prophecies or predictions or guesses as to the future.

Mr. SMOOT. It has been framed upon the facts.

Mr. HITCHCOCK. I ask the Senator this question: Does he think that we ought to make a tariff schedule to exclude articles from Germany?

Mr. SMOOT. I have answered that question once, and I will answer it again and say "No."

Mr. HITCHCOCK. Then, what percentage of our consumption would the Senator admit in competition with our local production?

Mr. SMOOT. That would depend entirely upon the product.

Mr. HITCHCOCK. Does the Senator think 25 per cent is too much?

Mr. SMOOT. I think that wherever importations are 25 per cent of the domestic consumption in the United States, then we are getting very near the danger line, because, if they can take that much of the business away from the American producer, we know that there is extreme competition.

Mr. HITCHCOCK. Would the Senator be willing to admit 20 per cent of American consumption so as to have competition?

Mr. SMOOT. I say again that would depend upon the condition of the industry not only in Germany but in this country.

As to some commodities, I would admit 75 per cent or 80 per cent of the domestic consumption, but there are others as to which I should think 25 per cent would be approaching the danger line.

The Senator knows that in some lines Germany can and does control the trade of the world, and will do so, no matter what rates we put in this bill. The same statement applies to some of the products of Japan, to some of the products of England, and also to some of the products of France, and other countries. Whatever rate might be put in this bill, such products will come into the United States because the people of the United States are going to buy them. The Senator knows that we would not keep out all the perfumes of France, even if we imposed on them a duty of 60 per cent or 75 per cent. They would be purchased here by the women who want French perfumery, and I would not care how much of that commodity came in.

Mr. HITCHCOCK. Can the Senator give the consumption in this country of gas-mantle scrap?

Mr. SMOOT. I do not know whether I have it here or not. Has the Senator got it there? I find that I have not. In the case of scrap I know that there is very little imported.

Mr. HITCHCOCK. The imports were 60,000 pounds in 1914.

Mr. SMOOT. Oh, if the Senator wants the imports—

Mr. HITCHCOCK. Do they approximate that?

Mr. SMOOT. No; not that much, I think.

Mr. HITCHCOCK. I understand that this schedule imposes the same tariff on gas-mantle scrap that it does on the thorium nitrate?

Mr. SMOOT. Why, certainly; because 95 per cent of the scrap is thorium nitrate.

Mr. HITCHCOCK. And yet the importations of gas-mantle scrap in 1920 were 144 pounds only.

Mr. SMOOT. The Senator knows that there is nothing in that. Whatever scrap comes in here is the waste from the gas mantles, and 90 per cent of that waste is thorium nitrate; and what difference does it make, Mr. President, if they can get the thorium nitrate in? The scrap is gathered up just the same as the waste of wool and the waste of cloth.

Mr. HITCHCOCK. Why is a tariff put on it if it does not make any difference? Why is it subjected to a 40 per cent tariff if it does not make any difference? Why do you put it in this bill and impose a tariff on it?

Mr. SMOOT. I say, if the tariff on thorium is a certain rate, and scrap mantle is virtually thorium, there should be the same rate. I do not see that there is anything wrong in that. Gas-mantle scrap, which is dutiable at 10 per cent ad valorem in the old bill, is converted into thorium nitrate, and this is the only commercial use of it. That is all there is to it. It is thorium nitrate just the same.

Mr. HITCHCOCK. I am asking the Senator why a duty of 40 per cent is imposed on it when less than 200 pounds comes into the country? It certainly is not a dangerous competition.

Mr. SMOOT. Simply because in the manufacture in a foreign country the scrap is used in exactly the same way that it is used here, and no one wants particularly to ship scrap in here when he can ship in the thorium at the same rate. Why should he?

Mr. HITCHCOCK. Mr. President, this item seems to me very much like ink, very much like wood alcohol, very much like a large number of other items in this bill which present a condition in which the American market is supplied to a very limited extent by foreign competition. The Senator from North Dakota indicated that the purpose of this bill was to impose a tariff to represent the difference in cost. It seems to me that the purpose of this bill is to shut out competition, because when we show a case such as ink, for instance, in which the United States manufactures all of its ink except some 20,000 pounds a year, when it not only manufactures all the ink that the American people consume but manufactures enough to export millions of dollars' worth of ink a year, nevertheless the Finance Committee insists on reporting to the Senate a duty double what it is at the present time.

Mr. SMOOT. Is the Senator speaking now of gas-mantle scrap?

Mr. HITCHCOCK. I am speaking now of ink. I have gone back to that. This is another item of the same sort.

Mr. SMOOT. There is quite a difference between ink and thorium. Ink is exported, and thorium is not.

Mr. HITCHCOCK. But the Senator stood here and insisted on demanding that the present tariff on ink be raised from 15 per cent to 25 per cent, and finally abandoned that and accepted a 20 per cent duty.

Mr. SMOOT. Oh, no; a 20 per cent duty is what we reported.

Mr. HITCHCOCK. No; you reported a 30 per cent duty. You doubled the existing tariff in your report to the Senate, and when I demonstrated that we made all of our own ink, and that we exported millions of dollars' worth of ink to other countries, then you moved to accept the House schedule of 20 per cent. I say that the condition is the same in this schedule, only not to so great an extent.

Mr. SMOOT. That was decided before ever the Senator spoke.

Mr. HITCHCOCK. We are not importing more than 25 per cent of our consumption in thorium nitrate. We are making most of our thorium nitrate, and yet you insist on increasing the duty on thorium nitrate, notwithstanding the fact that Germany never has been able to send us thorium nitrate to the amount of more than 25 per cent of our consumption.

Mr. SMOOT. Not able to do so? The Senator is not correct in that statement.

Mr. HITCHCOCK. The Senator please will not interrupt me until I finish. I charge, under those circumstances, that your bill is not for the purpose of enabling American manufacturers to compete with foreign manufacturers upon a reasonable basis. That used to be the old Republican theory. Your bill is for the purpose of giving to the American manufacturer a monopoly in this market. Your bill is for the purpose of shutting out imports from such countries as Germany. Your bill is for the purpose of erecting a wall so high that the manufacturers in this country can increase the price of the things that they sell to the American people. That must be the case, otherwise you would be satisfied with the present tariff on thorium nitrate, under which the American manufacturer makes three-quarters of all the thorium nitrate that the American people consume, and the imports of thorium nitrate at the present time are less than they were before the war. They are almost negligible, and if the American manufacturer amounts to anything at all he ought to be able to hold his market as it is now, at 75 per cent of the American consumption.

It must be understood by the American people that you are making a tariff, not for the purpose of enabling the American manufacturer to compete with manufacturers abroad, but in one schedule after another you are raising the tax so high as to shut out competition and give a monopoly to the American manufacturer. I asked the Senator from Utah whether he would not be satisfied with competition amounting to only 25 per cent of the American consumption, and instead of saying definitely "Yes" or "No" he said that in some cases he would and in some cases he would not.

Mr. SMOOT. The Senator wanted me to tell the truth, did he not?

Mr. HITCHCOCK. Certainly.

Mr. SMOOT. Then, that is the only way in which I could answer the question.

Mr. HITCHCOCK. But I should like to know why 25 per cent is not a reasonable supply to come in from abroad and regulate the American price for the protection of the consumer. You have forgotten all about the consumer. He ought to have protection. When you levy taxes on him in order, under the Republican theory, to build up home industries you ought at least to have in mind the protection of the consumer by still permitting enough competition to come in from abroad to prevent exorbitant prices being charged.

That was the old theory of the protective-tariff idea, and that was what made it so alluring to the American people. They were told time and again by Republicans on the stump that all they wanted to do was to make the tariff high enough to enable the American manufacturer to compete against the so-called pauper labor from abroad; and now you are not satisfied with making the tariff high enough to enable the American manufacturer to compete. You want the tariff so high as to exclude competition. You want the tariff so high as to give a monopoly in this country, and that is the vice of this whole bill. It is in schedule after another—not only in thorium nitrate, but it was in ink to a still more aggravated degree, because it was demonstrated here by the figures I read into the Record that at the present time, with a 15 per cent tariff, the American manufacturer actually supplies almost the whole market, with only the faintest fraction of competition from abroad. So it was with wood alcohol in even a greater degree. You insisted on taking wood alcohol off the free list, although I demonstrated here that the United States had the greatest wood-alcohol production in the world; that we actually manufactured half of all the wood alcohol made in the world, and we have been able to do that with wood alcohol on the free list; and yet you insisted on putting a tax on wood alcohol, not for the purpose of raising revenue but to make it impossible for competition to come in here under any circumstances.

What is going to be the result? Going back again to wood alcohol, you have given an invitation, you have given an opportunity to the manufacturers of wood alcohol to unite to raise their prices to the American consumer. You have not increased your revenue at all. You have simply increased the probability that the price of wood alcohol will be advanced to the American consumer, and what is true of wood alcohol and ink is true of this schedule.

Mr. SMOOT. Mr. President, it is a strange fact that the raw material for the manufacture of thorium nitrate is controlled by England. She controls all of the raw material, which comes from India and a little from Brazil, and even in Brazil she controls it; and yet, before the war thorium nitrate entered into England free of duty. What has England found that she had to do to protect her industry in the manufacture of thorium? Why, she has taken it from the free list and imposed a duty of 33½ per cent upon it, and yet she controls all of the raw product of the world. We have to get ours there, too, with the exception of what we get down here in North Carolina.

Remember that under the Underwood bill there was a duty of 25 per cent put upon monazite sand. Why? Because it was produced in North Carolina. That bill imposed a duty of 25 per cent on the raw product, the sand, dug by men, as the Senator from North Carolina said here the other day, referring to another product; and yet they put a rate of 25 per cent duty on the monazite sand of North Carolina, and gave a duty of only 25 per cent upon thorium nitrate. I ask the Senator from New Mexico [Mr. Jones] if that is fair or right?

But England, free-trade England, as she is called, which had it on the free list before the war, since the war closed, in order to protect her industries, has placed a duty of 33½ per cent upon thorium nitrate. All that we are asking here is a 40 per cent ad valorem duty, and the importations prove that there is competition, and there is not any question but that there is.

Again, Mr. President, gas mantles are made from thorium nitrate, and 1 pound of thorium nitrate makes about 325 gas mantles. In 1909 we heard this Chamber ring and ring with the statement of the monopoly of the gas-mantle manufacturers of the United States. All they have to do is buy 1 pound of nitrate of thorium and make 325 gas mantles, and we are so solicitous of the manufacture of the gas mantles, that great monopoly which was so howled about in this Chamber in 1909, that we want to give them cheaper thorium nitrate. Let us be consistent.

Mr. President, I do not care to say anything more about it. The rate is a fair protective rate and no more, and the committee asks that 40 per cent be substituted for 45 per cent.

Mr. WALSH of Massachusetts. May the Secretary report the amendment?

The PRESIDING OFFICER. The Secretary will state the amendment to the amendment.

The READING CLERK. On page 30, line 14, the committee amendment proposes to strike out "25" and insert in lieu thereof "45." The Senator from Utah [Mr. SMOOT] has proposed to amend the committee amendment by striking out "45" and inserting in lieu thereof "40," so as to read:

Thorium nitrate, thorium oxide, and other salts of thorium not specially provided for, cerium nitrate, cerium fluoride, and other salts of cerium not specially provided for, and gas-mantle scrap consisting in chief value of metallic oxides, 40 per cent ad valorem.

Mr. WALSH of Massachusetts. I ask for the yeas and nays.

The yeas and nays were ordered.

The reading clerk proceeded to call the roll and Mr. ASHURST voted "yea."

SEVERAL SENATORS. Let the question be stated.

Mr. ASHURST. May the question be stated again, Mr. President?

The PRESIDING OFFICER. The Secretary will again state the amendment to the amendment.

The amendment to the amendment was again read.

Mr. ASHURST. In other words, we are voting on the amendment proposed by the Senator from Utah—[Mr. SMOOT].

Mr. WALSH of Massachusetts. It raises the House rate 15 per cent and reduces the Senate committee rate 5 per cent.

Mr. FRELINGHUYSEN. Mr. President, the roll call had been begun.

The PRESIDING OFFICER. It had, and a response was made.

Mr. FLETCHER. A parliamentary inquiry.

Mr. BALL. What is the question?

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Utah to the committee amendment. The Senator from Utah proposes to strike out "45" and to insert "40."

Mr. ASHURST. Let the question be stated again, so that the parliamentarians over here watching the bill will know what the question is.

The PRESIDING OFFICER. The Secretary will state the amendment.

The READING CLERK. On page 30, line 14, paragraph 84, under thorium nitrate, the committee proposed to strike out "25" and to insert "45." The senior Senator from Utah [Mr. Smoot] proposes to strike out "45" and insert "40," so as to read "40 per cent ad valorem."

Mr. FLETCHER. A parliamentary inquiry, Mr. President. The PRESIDING OFFICER. The Senator will state his inquiry.

Mr. FLETCHER. I understand that the proposal of the Senator from Utah is really a committee proposal; that the committee proposes this change, so that it is a committee amendment.

Mr. SMOOT. That is correct.

The PRESIDING OFFICER (Mr. MOSES in the chair). The committee has a right to modify its amendment.

Mr. FLETCHER. That being so, it is a committee amendment, and the question is, Shall the committee amendment providing 40 per cent be agreed to?

Mr. SMOOT. No; the question is to strike out "45" and to insert "40."

Mr. ASHURST. An affirmative vote will be a vote to reduce the tariff. That is plain enough.

Mr. FRELINGHUYSEN. I make the point of order that the roll call has been begun and debate is not in order.

The PRESIDING OFFICER. That point of order is sustained, and the Secretary will proceed with the roll call.

The reading clerk resumed the call of the roll.

Mr. LODGE (when his name was called). I transfer my pair with the senior Senator from Alabama [Mr. UNDERWOOD] to the Senator from Maryland [Mr. WELLER], and vote "yea."

Mr. McCUMBER (when his name was called). I transfer my general pair with the junior Senator from Utah [Mr. KING] to the senior Senator from Pennsylvania [Mr. CROW], and vote "yea." I ask that this announcement of my pair and its transfer may stand for the balance of the day.

Mr. NEW (when his name was called). I transfer my pair with the junior Senator from Tennessee [Mr. McKELLAR] to the junior Senator from Oregon [Mr. STANFIELD], and vote "yea." I ask that this announcement of my pair and its transfer may stand for the day.

Mr. WATSON of Indiana (when his name was called). I have a pair with the senior Senator from Mississippi [Mr. WILLIAMS], which I transfer to the senior Senator from Maryland [Mr. FRANCE], and vote "yea."

The roll call was concluded.

Mr. GLASS. I transfer my general pair with the senior Senator from Vermont [Mr. DILLINGHAM] to the Senator from Rhode Island [Mr. GERRY], and vote "yea."

Mr. FRELINGHUYSEN. I transfer my general pair with the Senator from Montana [Mr. WALSH] to the Senator from Washington [Mr. POINDEXTER], and vote "yea."

Mr. JONES of New Mexico. Making the same announcement as to the transfer of my pair as on the previous vote, I vote "yea."

The result was announced—yeas 59, nays 0, as follows:

YEAS—59.

Ashurst	Gooding	McKinley	Sheppard
Ball	Hale	McLean	Shortridge
Borah	Harrell	McNary	Simmons
Brandegee	Harris	Moses	Smoot
Broussard	Johnson	New	Spencer
Bursum	Jones, N. Mex.	Newberry	Stanley
Calder	Jones, Wash.	Norris	Sutherland
Capper	Kellogg	Oddie	Swanson
Caraway	Kendrick	Overman	Townsend
Curtis	Keyes	Pepper	Wadsworth
Dial	Ladd	Phipps	Walsh, Mass.
Ernst	Lenroot	Pomerene	Warren
Fletcher	Lodge	Ransdell	Watson, Ind.
Frelinghuysen	McCormick	Rawson	Willis
Glass	McCumber	Robinson	

NOT VOTING—37.

Cameron	France	Nicholson	Sterling
Colt	Gerry	Norbeck	Trammell
Crow	Harrison	Owen	Underwood
Culberson	Heflin	Page	Walsh, Mont.
Cummins	Hitchcock	Pittman	Watson, Ga.
Dillingham	King	Poindexter	Weller
du Pont	La Follette	Reed	Williams
Edge	McKellar	Shields	
Elkins	Myers	Smith	
Fernald	Nelson	Stanfield	

So Mr. Smoot's amendment to the committee amendment was agreed to.

The PRESIDING OFFICER. The question now recurs upon the amendment of the committee as amended.

Mr. SIMMONS. I ask for the yeas and nays.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. GLASS (when his name was called). Making the same announcement as before as to the transfer of my pair, I vote "nay."

Mr. LODGE (when his name was called). Making the same announcement as before as to my pair and its transfer, I vote "yea."

Mr. WATSON of Indiana (when his name was called). Making the same announcement as before, I vote "yea."

The roll call was concluded.

Mr. CURTIS. I desire to announce the following pairs:

The Senator from Arizona [Mr. CAMERON] with the Senator from Georgia [Mr. WATSON];

The Senator from Rhode Island [Mr. COLT] with the Senator from Florida [Mr. TRAMMELL];

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN];

The Senator from West Virginia [Mr. ELKINS] with the Senator from Mississippi [Mr. HARRISON]; and

The Senator from South Dakota [Mr. STERLING] with the Senator from South Carolina [Mr. SMITH].

Mr. FRELINGHUYSEN. I transfer my general pair with the senior Senator from Montana [Mr. WALSH] to the junior Senator from Washington [Mr. POINDEXTER] and vote "yea."

Mr. McCUMBER. Making the same announcement as on the previous vote, I vote "yea."

Mr. NEW. Making the same announcement as on the previous roll call, I vote "yea."

Mr. JONES of New Mexico. I make the same announcement as to the transfer of my pair, and vote "nay."

Mr. CARAWAY (after having voted in the negative). I have a pair with the junior Senator from Illinois [Mr. MCKINLEY]. In his absence I transfer that pair to the senior Senator from Texas [Mr. CULBERSON] and allow my vote to stand.

The result was announced—yeas 39, nays 18, not voting 39, as follows:

YEAS—39.

Ball	Hale	McCumber	Shortridge
Brandegee	Harrell	McLean	Smoot
Broussard	Johnson	McNary	Spencer
Bursum	Jones, Wash.	Moses	Sutherland
Calder	Kellogg	New	Townsend
Capper	Keyes	Newberry	Wadsworth
Curtis	Ladd	Oddie	Warren
Ernst	Lenroot	Pepper	Watson, Ind.
Frelinghuysen	Lodge	Phipps	Willis
Gooding	McCormick	Rawson	

NAYS—18.

Ashurst	Glass	Pomerene	Stanley
Borah	Harris	Ransdell	Swanson
Caraway	Jones, N. Mex.	Robinson	Walsh, Mass.
Dial	Norris	Sheppard	
Fletcher	Overman	Simmons	

NOT VOTING—39.

Cameron	France	Myers	Smith
Colt	Gerry	Nelson	Stanfield
Crow	Harrison	Nicholson	Sterling
Culberson	Heflin	Norbeck	Trammell
Cummins	Hitchcock	Owen	Underwood
Dillingham	Kendrick	Page	Walsh, Mont.
du Pont	King	Pittman	Watson, Ga.
Edge	La Follette	Poindexter	Weller
Elkins	McKellar	Reed	Williams
Fernald	McKinley	Shields	

So the committee amendment as amended was agreed to.

The PRESIDING OFFICER. The Secretary will report the next amendment.

The READING CLERK. On page 30, line 17, the committee proposes to strike out "20" and insert "25," so as to read:

PAR. 85. Tin bichloride, tin tetrachloride, and all other chemical compounds, mixtures, and salts, of which tin constitutes the element of chief value, 25 per cent ad valorem.

Mr. JONES of New Mexico. Mr. President, I have examined all the data regarding this item which I have been able to find, and it does seem to me that there is no excuse to be given for the rate of duty which the committee proposes.

I am very glad to observe the Senator from Kansas [Mr. CURTIS] in the Chamber. I think it is about the first time to-day.

Mr. CURTIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from Kansas?

Mr. JONES of New Mexico. I yield.

Mr. CURTIS. I was sitting in the rear of the Chamber to-day when the Senator named the Senators who were present, and he did not look back to see me. I was there talking to one

of the employees. I was here all the time during the Senator's speech. I have been here all the time to-day except for two hours, when I was at a meeting of a subcommittee in the Finance Committee room.

Mr. JONES of New Mexico. If I have done the Senator an injustice I apologize for it, but I submit that if he was in the corner talking to somebody about something else he might as well have been in the cloakroom.

Mr. CURTIS. I heard every word the Senator from New Mexico said.

Mr. McCORMICK. If the Senator from Kansas was in the Chamber, he could not very well escape hearing everything the Senator from New Mexico said.

Mr. JONES of New Mexico. I do not believe anyone ever fails to hear what the Senator from Illinois has to say when he gets on one of his rambles here.

Mr. President, as I was trying to say, I have examined all of the information which I have been able to find on this subject. I have looked through all of the usual documents on which we have depended during this debate. If any reason can be offered as to why this duty should be imposed, I think we ought to have it.

I wish to state that there have been no importations of this commodity of any consequence whatever for years. In the year 1914 there were imported 337 pounds. It is a commodity produced entirely in this country so far as home consumption is concerned. Perhaps Senators do not understand what it is. It is chloride of tin, bichloride and tetrachloride of tin. It is produced from scrap tin, which can be obtained in this country. More particularly the use to which the tetrachloride is put is for weighting silk. So far as commerce is concerned, there is no commerce in this commodity at all, or anything that could be recognized as such. Under existing law it is dutiable under a basket clause at 10 per cent. The House bill imposed a duty of 20 per cent, increasing the existing duty 100 per cent. The Finance Committee of the Senate, feeling evidently that it was necessary for them to do something, have raised the rate of duty to 25 per cent. This product is made out of scrap tin and, as far as obtainable, from old tin cans, by dipping it in a solution of chlorine which makes a tin chloride. It is used for that purpose.

This increase must come just from the habit of increasing the taxes. It is true it does not affect everybody, only those who use weighted silk. That is the principal use for it, but it does go into the silk trade of the country, and a great many people struggle very hard to get a little silk, especially the ladies of the family.

I would like to know why this increase is proposed. It is just possible that it is done because pig tin has now been put on the dutiable list instead of on the free list where it is under the existing law. Of pig tin we import about 100,000,000 pounds a year. None of it is produced in the United States. They found a little up in Alaska—about 100 tons. Tin itself comes from Bolivia, as a rule, into the United States. It is admitted free now.

The bill proposes to put a duty of 2 cents a pound on the 100 tons annually imported. I do not see how that affects this item, but it may be offered as an excuse for increasing this duty. This material made out of scrap tin—there is no question of any competition that I can find at all. I may say that the 337 pounds which did come into this country in 1914 were valued at less than 4 cents a pound, while the present price of the commodity now is over 28 cents a pound, seven times the price of the small amount that was imported in 1914.

I would like to have somebody undertake to justify the rate.

Mr. SMOOT. Mr. President, I will say, in the first place, that the committee has reported to place tin in pigs and blocks on the free list. The Senator said it was 3 cents a pound.

Mr. JONES of New Mexico. I was looking at the rate recommended by the House, and I find that in the House bill it is 2 cents a pound.

Mr. SMOOT. Yes; but the Finance Committee put it on the free list. I will make a statement as to the rates when the Senator from New Mexico shall have concluded.

Mr. JONES of New Mexico. I see that the Senate Committee on Finance has stricken out the provision for 2 cents a pound upon tin. Therefore, I should like some Senator to explain why the committee increased the duty on bichloride of tin.

Mr. SMOOT. Mr. President, just a word. The pre-war price of bichloride of tin was from 10 to 11 cents a pound; the present price is below the pre-war price; it has come down to 9 cents a pound. The pre-war price of tetrachloride of tin was 26 cents a pound, while it is now 28 cents a pound, or about the pre-war price. On all of the chemical compounds and mixtures and of

salts of different materials in this bill we have tried to preserve a uniform rate of 25 per cent ad valorem.

The House has a 20 per cent rate on the American valuation and the rate proposed by the committee is 25 per cent on the foreign valuation. So far as the use of this article is concerned, it is used as the Senator has stated for the weighting of silk, or, in other words, it is an adulterant. This material is put into silk in order to make the silk weigh; and I do not think anyone is going to suffer from the imposition of this duty.

Mr. NORRIS. Mr. President, will the Senator from Utah yield to me?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Nebraska?

Mr. SMOOT. I yield.

Mr. NORRIS. It seems to me, from what I can learn in relation to it, that this is an article on which we might very well levy a tariff because it is, in fact, a luxury. The question, however, arises in my mind, fithere are no imports, then what is the use of imposing a duty on it? We shall get no revenue by doing so, and I can not see any good from doing it. I confess that if revenue could be derived, this would be a very proper place to levy a revenue duty; but if there are no imports, and we shall get no revenue, it does not seem to me worth while fooling with it.

Mr. SMOOT. So long as the article is going to be used, and so long as we may get it from any other part of the world, I think we ought to have it made in this country. That is my opinion. The Reynolds report shows that the foreign value in the United States is 34 cents a pound.

Mr. NORRIS. What about the imports?

Mr. SMOOT. I will give those later. The selling price of the foreign article of tetrachloride of tin in the United States was 90 cents a pound. See what profit there is in that. If it may be made in this country and is going to be used in this country, let us make it in this country instead of importing it from a foreign country.

Mr. FLETCHER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Florida?

Mr. SMOOT. I yield.

Mr. FLETCHER. Does the Senator from Utah say there are no importations at all of this article? The statistics in reference to the subject are not available.

Mr. SMOOT. It is in the basket clause in the present law. For 1914 the importations were given, but because of the fact that the article is in the basket clause under the existing law we can not segregate the various salts and mixtures which fall in that clause. We have the statistics for the entire importations in the basket clause, but we can not ascertain as to the importations of a particular item.

Mr. FLETCHER. The statistics seem to be combined with those concerning gold, platinum, and silver and rhodium salts in the importation figures. There are apparently three concerns manufacturing it in this country, and even now, under the present law, imposing a duty of 10 per cent ad valorem, there do not seem to be any importations coming in. How can it be expected that any will come in under a 25 per cent duty?

Mr. SMOOT. I do not know whether or not any are coming in.

Mr. FLETCHER. I can not see that there is any justification for increasing the duty from 15 per cent under such circumstances.

Mr. JONES of New Mexico. Mr. President, just a word. All the information that there is upon the subject, after a description of the article and its uses, I find under the head of production in the tariff report:

The preparation of tin chlorides has developed almost exclusively into the refining of scrap tin by means of chlorine gas. The process originated in the plant of the Goldschmidt chemical works at Essen, Germany. The process, however, was soon established by the Goldschmidts in this country. In about 1913 another company began operations, and at the present time (1918) there are three companies producing tin chlorides in the United States by the chlorine refining process. The growth of the industry is dependent on the growth of the silk industry, which is the largest consumer.

In 1914 census reports give the production of all-tin salts as 8,291,200 pounds, valued at \$2,028,500. In 1919 (preliminary figure) the output of tin chlorides was 8,999,200 pounds, valued at \$2,986,500, and of oxide of tin 1,352,600 pounds, valued at \$900,240.

Imports: Statistics are combined with those of gold, platinum, silver, and rhodium salts.

Exports: Statistics not available.

That is all the information that the Tariff Commission gives in its summary, but I have here from a member of the force of the Tariff Commission the statement that the present price of these tin crystals is 27½ to 28 cents per pound, and of tin oxide from 37 to 38 cents a pound, and that the imports of tin chloride

in 1914 were 337 pounds. I figure from the book containing the statistics that the value of that importation was \$93, or a little less than 4 cents a pound.

Mr. SMOOT. That would be a little less than 30 cents a pound.

Mr. JONES of New Mexico. The Senator is right. That is just about the present price of the commodity in this country. I do not, therefore, see any possible reason for increasing the duty on the commodity.

The present rate is 10 per cent; the House bill made it 20 per cent, and the Senate committee proposes to make it 25 per cent. There is no earthly information on which to figure any such tariff rate. There are no imports coming in, and none can come in. The material is made out of scrap tin, and any other country which wants to make it has got to get the scrap tin from somewhere else. There is something in the tariff surveys to the effect that Japan is threatening to develop the industry, buy her scrap tin in the markets of the world, and make the chloride and weight the silk over in Japan. There is some suggestion of that kind, but there is no suggestion that Japan is going to make the tin chloride and ship it to this country in competition with the American product. There is not a suggestion of competition from any country on earth.

Mr. President, I move to strike out the figure "25" and insert "10."

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from New Mexico [Mr. JONES] to the committee amendment.

Mr. JONES of New Mexico. Upon that I ask for the yeas and nays.

The yeas and nays were ordered, and the principal legislative clerk proceeded to call the roll.

Mr. ERNST (when his name was called). I transfer my general pair with the senior Senator from Kentucky [Mr. STANLEY] to the senior Senator from Minnesota [Mr. NELSON] and vote "nay."

Mr. FRELINGHUYSEN (when his name was called). Making the same announcement as heretofore in regard to my pair and its transfer, I vote "nay."

Mr. LODGE (when his name was called). Making the same announcement as heretofore with reference to my pair and its transfer, I vote "nay."

Mr. McCUMBER (when his name was called). Making the same announcement with regard to my pair and its transfer, I vote "nay."

Mr. NEW (when his name was called). Making the same announcement as to my pair and its transfer as on the previous vote, I vote "nay."

Mr. WATSON of Indiana (when his name was called). Making the same announcement as before, I vote "nay."

The roll call having been concluded, the result was announced—yeas 14, nays 39, as follows:

YEAS—14.

Ashurst	Harris	Ransdell	Simmons
Caraway	Jones, N. Mex.	Robinson	Walsh, Mass.
Dial	Overman	Sheppard	
Fletcher	Pomerene	Shields	

NAYS—39.

Ball	Hale	McKinley	Rawson
Brandagee	Johnson	McLean	Shortridge
Broussard	Jones Wash.	McNary	Smoot
Bursum	Kellogg	Moses	Sutherland
Calder	Kendrick	New	Townsend
Capper	Ladd	Newberry	Wadsworth
Curtis	Lenroot	Norris	Warren
Ernst	Lodge	Oddie	Watson, Ind.
Frelinghuysen	McCormick	Pepper	Willis
Gooding	McCumber	Phipps	

NOT VOTING—43

Borah	France	Myers	Stanfield
Cameron	Gerry	Nelson	Stanley
Colt	Glass	Nicholson	Sterling
Crow	Harrell	Norbeck	Swanson
Culberson	Harrison	Owen	Trammell
Cummins	Heflin	Page	Underwood
Dillingham	Hitchcock	Pittman	Walsh, Mont.
du Pont	Keyes	Polindexter	Watson, Ga.
Edge	King	Reed	Weller
Elkins	La Follette	Smith	Williams
Fernald	McKellar	Spencer	

So the amendment of Mr. JONES of New Mexico to the amendment of the committee was rejected.

The PRESIDING OFFICER. The question recurs upon the amendment proposed by the committee.

The amendment was agreed to.

The PRESIDING OFFICER. The Secretary will state the next amendment of the committee.

The PRINCIPAL LEGISLATIVE CLERK. On line 20, after the word "titanium" and the comma, the committee proposes to insert the words "5 cents per pound and," so as to read:

Titanium potassium oxalate, and all compounds and mixtures containing titanium, 5 cents per pound and 25 per cent ad valorem.

Mr. FLETCHER. Mr. President, I trust that amendment will not be agreed to. Under the ruling I believe it will not be in order to offer an amendment to the ad valorem item; otherwise I should move to reduce that; but the question would come upon the adoption of this amendment, and it does not seem to me that that amendment is at all justified.

The story of this paragraph is about like this:

Under the act of 1909 the duty was 25 per cent ad valorem. Under the act of 1913 the duty was 15 per cent ad valorem. The House bill carries a provision for 25 per cent ad valorem, and now the Senate committee proposes to add to the 25 per cent ad valorem 5 cents per pound. That would mean an addition of about 8 per cent more, making this duty 33 per cent ad valorem instead of 10 per cent ad valorem.

The statistics show that as to the amount of production there are no figures available, but that the imports for the fiscal year 1914 were only 3,328 pounds, at about 60 cents per pound. In other words, at that time the imports of titanium trichloride amounted to only about \$2,200 worth—about 3,328 pounds, worth about 60 cents a pound. That was the total importation in 1914, when the duty was 15 per cent ad valorem. It is now proposed to make it 33 per cent ad valorem.

Importations of titanium sulphate in 1914 were 1,213 pounds, worth about 20 cents per pound. In other words, about \$224 worth of the product came in in 1914 under a duty of 15 per cent ad valorem. The proposal now is to raise that duty to 33 per cent ad valorem.

What is the use of it? What is the occasion for it? The importations amount practically to nothing. They amounted to nothing under the act of 1913, and yet the House proposes to increase that duty 66½ per cent, and the Senate committee proposes to add 8 per cent more on top of that.

I can not see any revenue to be derived from it or any basis for any protection. It just seems to be a duty levied without any rhyme or reason, increased from 15 per cent to 25 per cent in the House bill, which is an increase of 66½ per cent of the duty, and then the Senate committee proposes to add 5 cents a pound on top of that, which would be at least 8 per cent ad valorem more.

The exports are not recorded. There are no available figures further than those that I have stated, and it does seem to me that there is no ground whatever for proposing this great increase in the duties on these commodities.

Mr. McCUMBER. Mr. President, the House imposed a duty of 35 per cent ad valorem upon the American valuation. An examination of the Reynolds report showed that that would be insufficient, but that with a duty of 5 cents per pound and an ad valorem duty of 25 per cent on the foreign valuation we would equalize the foreign selling price with the American selling price. On a further consideration of that matter this morning the committee came to the conclusion that with the last data they had on the subject they could strike out the provision of 5 cents per pound which they had previously recommended and then raise the 25 to 30 per cent ad valorem, which would give the duty just an ad valorem basis and make it 30 per cent, so that is what I was about to present. The Senator from Pennsylvania [Mr. PEPPER], however, is very much interested in this subject and possibly desires to discuss it to-day, or possibly may request that it go over.

Mr. PEPPER. Mr. President, if it is agreeable to the chairman of the committee, I should very much prefer not to discuss it at the moment, but to have it go over until I have had an opportunity to review the relation between the figures now proposed and those originally reported by the committee.

Mr. FLETCHER. Of course, I did not know what was in the mind of the committee. I was basing my observations on what appeared in the bill. I think the proposal of the committee will be an improvement, because I think that would mean 30 per cent ad valorem instead of about 33 per cent ad valorem; and I am perfectly willing to have the matter go over to suit the convenience of the Senator from Pennsylvania.

The PRESIDING OFFICER. Without objection, the amendment will be passed over. The Secretary will state the next amendment of the committee.

The READING CLERK. Schedule 2: Earths, earthenware, and glassware.

Mr. McCUMBER. Mr. President, we have passed over quite a number of the paragraphs in the first schedule; and if the

Senator from Missouri [Mr. SPENCER] is here, I should like to take up paragraph 74.

Mr. ROBINSON. What is the paragraph?

Mr. McCUMBER. Paragraph 74, zinc salts. The Senator from Missouri desires to be present when that is discussed. If he is not present, however, I will suggest that paragraph 7, on page 4, has been passed over.

Mr. WALSH of Massachusetts. Mr. President, I make the point of no quorum. The Senator from New Mexico [Mr. JONES], who knows about this schedule, is absent, and desires to be here when it is taken up.

The PRESIDING OFFICER. The Senator from Massachusetts suggests the absence of a quorum. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Harrison	McNary	Shortridge
Ball	Johnson	Moses	Simmons
Brandegee	Jones, N. Mex.	New	Smoot
Bursum	Jones, Wash.	Newberry	Sutherland
Calder	Kellogg	Norris	Townsend
Capper	Kendrick	Oddie	Wadsworth
Caraway	Keyes	Overman	Walsh, Mass.
Curtis	Ladd	Pepper	Warren
Dial	Lenroot	Phipps	Watson, Ind.
Fletcher	Lodge	Pomerene	Williams
Glass	McCormick	Rawson	Willis
Gooding	McCumber	Robinson	
Hale	McKinley	Sheppard	
Harris	McLean	Shields	

The PRESIDING OFFICER. Fifty-three Senators have answered to their names. There is a quorum present. The question is upon agreeing to the amendment proposed by the committee in paragraph 7, page 4.

Mr. SIMMONS. That paragraph includes ammonium sulphate, and my understanding is that it was put over until we take up potash.

The PRESIDING OFFICER. The Chair will say to the Senator from North Carolina that the chairman of the committee just now suggested that we return to the consideration of that paragraph.

Mr. SIMMONS. I just talked with the chairman of the committee, and I think I have stated the understanding correctly.

Mr. McCUMBER. It can be passed over again, if the Senator desires.

The PRESIDING OFFICER. Has the chairman of the committee any suggestion to offer?

Mr. McCUMBER. I want to see if we can take up paragraph 8, antimony salts.

The PRESIDING OFFICER. The Secretary will state the amendment.

The READING CLERK. In paragraph 8, page 4, the committee proposes to strike out, after the word "oxide," the words "2 cents per pound" and to insert "1½ cents per pound and 25 per cent ad valorem."

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the committee.

The amendment was agreed to.

The PRESIDING OFFICER. The Secretary will state the next amendment.

The READING CLERK. The next amendment passed over is, on page 4, line 22, strike out the words "tartar-emic" with the hyphen and to insert the words "tartar emetic."

The amendment was agreed to.

The READING CLERK. The next amendment passed over is, on page 4, line 23, after the "tartrate" and the comma, to strike out "5" and insert "6," so as to read "6 cents per pound."

Mr. SIMMONS. What is that matter?

The PRESIDING OFFICER. Potassium-antimony tartrate, 6 cents per pound.

Mr. SIMMONS. Why was that passed over? Does the Senator from North Dakota know why it was passed over?

The PRESIDING OFFICER. The Chair is informed that the Senator from New Jersey [Mr. FRELINGHUYSEN] requested to have it passed over.

Mr. McCUMBER. I do not remember who made the request, but it was passed over at the request of some Senator because of its relation to liquated antimony, in paragraph 376. I do not think it was asked that we wait until we reached that paragraph. I do not recall now, other than that, why it was passed over.

Mr. SIMMONS. I wish to suggest to the Senator that where a Senator requests that a matter be passed over, and it is called up while he is away, probably the Senator ought to have some notice of it.

Mr. McCUMBER. It is rather difficult to handle a bill when, after a Senator asks that half a schedule go over from time to time, he is away when we get back to it.

Mr. SIMMONS. I shall make no objection to have the amendment considered.

Mr. McCUMBER. I understand the Senator does not make any objection, but I am not certain that the Senator who asked that it go over would not make objection, and I think under the circumstances we had better go on with the next schedule.

The PRESIDING OFFICER. Without objection, the balance of paragraph 8 will be passed over.

Mr. McCUMBER. Pass over all of that schedule and go to the next schedule.

The PRESIDING OFFICER. The Secretary will report the next amendment.

The READING CLERK. Schedule 2, on page 31, earthenware, and glassware.

The first amendment of the committee in this schedule is on page 31, line 4, after the word "manner" and the comma, to strike out the words "and brick other than fire brick, 10" and to insert "15", so as to read:

Fire brick, weighing not more than 10 pounds each, not glazed, enameled, ornamented, or decorated in any manner, 15 per cent ad valorem.

Mr. ROBINSON rose.

Mr. McCUMBER. I was just going to ask that this amendment be passed over on account of the fact that the Senator from Idaho [Mr. GOODING] presented the matter again this morning, and the committee had it under consideration this morning until 11 o'clock, when it had to adjourn before considering it even a second time. So I will ask that this paragraph may go over.

Mr. ROBINSON. I have no objection.

The PRESIDING OFFICER. Without objection paragraph 201 will be passed over, and the Secretary will state the next amendment.

The next amendment of the committee was in paragraph 202, on page 31, line 21, after the word "grooved," to strike out the word "and" and insert the word "or".

The amendment was agreed to.

The next amendment of the committee was on page 31, line 23, after the word "tiles" and the comma, to insert the words "red or brown, and measuring seven-eighths of an inch or over in thickness."

The amendment was agreed to.

Mr. JONES of New Mexico. I should like to inquire of the chairman of the committee as to the program. Are we going ahead with the next schedule, covering earthenware?

Mr. McCUMBER. I could not find the Senators present at whose request some of the paragraphs in the preceding schedule were passed over, and I did not want to bring them up in their absence. Therefore I asked that we go on to the next schedule.

Mr. JONES of New Mexico. I suppose we can go ahead to some extent upon this new schedule, but, as far as I am concerned, I have been paying more attention to the paragraphs which we have passed over than to the paragraphs in the next schedule. We can go ahead for awhile, but now we have passed over the first paragraph of the earth and earthenware schedule. I presume, of course, the best thing to do is to go ahead with it and go back to the paragraphs passed over at the convenience of the various Senators, but I agree with the chairman of the committee that the sooner we dispose of these paragraphs in the chemical schedule and get rid of them the better. I can only regret that Senators who want to take up these passed-over paragraphs are not here. By the way, I observe that the Senator from New York [Mr. CALDER] is now here, and perhaps the first paragraph in the earth and earthenware schedule could be taken up.

Mr. McCUMBER. I just stated a moment ago that the Senator from Idaho had desired a further hearing upon that matter, and we had begun to have a hearing on it when we were called into the Chamber this morning, and for that reason I asked that it be passed over.

The next amendment of the committee was, on page 32, line 3, to strike out "35 nor more than 50" and to insert "45 nor more than 60," so as to read:

Tiles wholly or in part of cement, valued at not more than 40 cents per square foot, 8 cents per square foot, but not less than 45 nor more than 60 per cent ad valorem.

The amendment was agreed to.

The next amendment of the committee was, on page 32, line 5, to strike out "38" and insert "50."

Mr. SHEPPARD. I desire to offer an amendment to substitute "5 cents per square foot" for the figure appearing in the bill.

The PRESIDING OFFICER. Does the Senator desire to have "50 per cent ad valorem" stricken out and to insert "5 cents per square foot"?

Mr. SHEPPARD. There is an amendment just prior to that one.

The PRESIDING OFFICER. On page 32, line 3, there was an amendment agreed to, striking out "35 nor more than 50" and inserting "45 nor more than 60."

Mr. SHEPPARD. I intend to offer my amendment there.

The PRESIDING OFFICER. Without objection, the vote whereby the amendment on line 3 was agreed to will be regarded as reconsidered, and the Senator from Texas is recognized for the purpose of offering an amendment to the amendment of the committee.

Mr. SHEPPARD. My motion is to strike out the words "8 cents per square foot, but not less than 45 nor more than 60 per cent ad valorem," and insert in lieu thereof "5 cents per square foot."

The PRESIDING OFFICER. The Secretary will state the amendment.

The READING CLERK. In paragraph 202, page 32, line 2, the Senator from Texas proposes to strike out the words "8 cents per square foot, but not less than 45 nor more than 60 per cent ad valorem," and to insert the words "5 cents per square foot."

Mr. SHEPPARD. I also desire to amend by striking out the remainder, as reported by the committee, and inserting the language of the bill as it passed the House.

The PRESIDING OFFICER. May the Chair suggest to the Senator that we dispose of the amendment he has already offered first?

Mr. SHEPPARD. Very well. I desire to address myself to that amendment.

TILES AND TILING.

The tariff act of 1909, the Payne-Aldrich Act, placed a duty of 4 cents per square foot on plain unglazed tiles, of one color, exceeding 2 square inches in size; on glazed, encaustic, ceramic mosaic, vitrified, semivitrified, flint, spar, embossed, enameled, ornamented, hand-painted, gold decorated, and all other earthenware tiles and tiling, by whatever name known, except pill tiles and so-called quarries, or quarry tiles, valued at not exceeding 40 cents per square foot, a duty of 8 cents per square foot, and where valued at a figure exceeding 40 cents per square foot a duty of 10 cents per square foot and 25 per cent ad valorem; on so-called quarries, or quarry tiles, 45 per cent ad valorem; on mantels, friezes, and articles of every description, composed wholly or in chief value of tiles or tiling, 60 per cent ad valorem.

The tariff act of 1913, the Underwood-Simmons Act, reduced the duty on plain unglazed tiles, of one color, exceeding 2 square inches in size, from 4 cents per square foot to 1½ cents per square foot; on glazed, encaustic, ceramic mosaic, vitrified, semivitrified, flint, spar, embossed, enameled, ornamented, hand-painted, decorated, gold decorated, grooved, and corrugated, and all other earthenware tiles and tiling, except pill tiles and so-called quarries, or quarry tiles, but including tiles wholly or in part of cement, reduced the duty from 8 cents per square foot to 5 cents per square foot; on so-called quarries, or quarry tiles, it reduced the duty from 45 per cent ad valorem to 20 per cent ad valorem; on mantels, friezes, and articles of every description or parts thereof, composed wholly or in chief value of earthenware tiles or tiling, except pill tiles, it reduced the duty from 60 per cent ad valorem to 30 per cent ad valorem.

The tariff bill of 1922, the Fordney-McCumber Act, as passed by the House, placed a duty of 8 cents per square foot, but not less than 35 nor more than 50 per cent ad valorem on tiles—unglazed, glazed, encaustic, ceramic, mosaic, vitrified, semivitrified, flint, spar, embossed, enameled, ornamented, hand painted, gold decorated, grooved, and corrugated, and all other earthenware tiles and tiling by whatever name known, except pill tiles, and so-called quarries or quarry tiles, but including tiles wholly or in part of cement, valued at not more than 40 cents per square foot, and where valued at more than 40 cents per square foot, 38 per cent ad valorem. On so-called quarries or quarry tiles, red or brown in color, it levied a duty of 3 cents per square foot, but not less than 20 per cent ad valorem. On mantels, friezes, and articles of every description, or parts thereof, composed wholly or in chief value of earthenware tiles or tiling, except pill tiles, 38 per cent ad valorem.

The tariff bill of 1922, the Fordney-McCumber Act, as reported to the Senate and now before us, imposes a duty of 8 cents per square foot, but not less than 45 nor more than 60 per cent ad valorem, on tiles—unglazed, glazed, encaustic, ceramic, mosaic, vitrified, semivitrified, flint, spar, embossed, enameled, ornamented, hand painted, gold decorated, grooved or corrugated, and all other earthenware tiles and tiling by whatever name known, except pill tiles and so-called quarries or quarry tiles, red or brown, and measuring seven-eighths of an inch or over in thickness, but including tiles wholly or in part of cement, valued at not more than 40 cents per square foot, and when valued at

more than 40 cents per square foot, 50 per cent ad valorem. On so-called quarries or quarry tiles, red or brown, and measuring seven-eighths of an inch or over in thickness, it places a rate of 5 cents per square foot, but not less than 30 per cent ad valorem. On mantels, friezes, and articles of every description, or parts thereof, composed wholly or in chief value of earthenware tiles or tiling, except pill tiles, 50 per cent ad valorem.

Tiles are made of clay and are used for flooring, roofing, and in finishing walls. They contribute in marked degree to the comfort, beauty, utility, and sanitation of the home. They are used in making pipes or conduits for the drainage of land.

It will be seen that the lowest range of duties in the measure I have mentioned is found in the Democratic act of 1913, the Underwood-Simmons Act. And yet it was under that act that the production of tiling in the United States grew from a value of \$5,705,583 in 1914 to \$10,930,000 in 1920, with exports in the latter year of over \$1,000,000 in value; imports having in that same year a value of less than \$85,000. Under the Democratic act of 1913 the tiling industry reached a point where it supplied the domestic market and exported a substantial surplus. Imports are so small as to be not even remotely suggestive of competition.

It would strain the human intellect to the breaking point, therefore, to find a reason for the enormous increase in the rates on this important building material in the bill under consideration, rates which rise from less than 2 cents on the commoner forms to 8 cents per square foot, a sweep upward of 400 per cent on the cheaper varieties. Truly our Republican friends are the champion aerialists of tariff legislation. Evidently they mistake the Senate for an aerodrome, the various tariff schedules for airships to be used in contests for the dizzyest altitudes, the flight leaders being Pilot McCUMBER and Pilot SMOOT.

Mr. President, it is questionable whether the enormous increases proposed by the Senate bill will not imperil the small amount of revenue derived from these articles under the present law. Inasmuch, however, as revenue is the supreme need of the hour, and inasmuch as the position of this industry makes it independent of protection, I move to substitute the existing rates for those in the bill reported by the Senate Committee on Finance.

Mr. President, I ask for the yeas and nays on the amendment which I have proposed.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. HARRISON (when his name was called). Transferring my pair with the junior Senator from West Virginia [Mr. ELKINS] to the senior Senator from Texas [Mr. CULBERSON], I vote "yea."

Mr. LODGE (when his name was called). Making the same announcement as to the transfer of my pair, I vote "nay."

Mr. SUTHERLAND (when his name was called). I have a general pair with the senior Senator from Arkansas [Mr. ROBINSON]. I transfer that pair to the junior Senator from Vermont [Mr. PAGE] and vote "nay."

The roll call was concluded.

Mr. WATSON of Indiana. Making the same announcement as on the last roll call, I vote "nay."

Mr. BALL. Has the senior Senator from Florida [Mr. FLETCHER] voted?

The PRESIDING OFFICER (Mr. BROUSSARD in the chair). That Senator has not voted.

Mr. BALL. I transfer my pair with the Senator from Florida [Mr. FLETCHER] to the junior Senator from Oklahoma [Mr. HARRELD] and vote "nay."

Mr. CARAWAY. Has the junior Senator from Illinois [Mr. MCKINLEY] voted?

The PRESIDING OFFICER. He has not voted.

Mr. CARAWAY. I have a pair with the junior Senator from Illinois [Mr. MCKINLEY]. I transfer that pair to the Senator from Nevada [Mr. PITTMAN] and vote "yea."

Mr. JONES of Washington (after having voted in the negative). The senior Senator from Virginia [Mr. SWANSON] is necessarily absent. I have a pair with him for that day. I find, however, that I can transfer that pair to the senior Senator from Iowa [Mr. CUMMINS], which I do, and allow my vote to stand.

Mr. JONES of New Mexico. Making the same announcement as to my pair and transfer, I vote "yea."

Mr. COLT. I have a general pair with the junior Senator from Florida [Mr. TRAMMELL]. I transfer that pair to the Senator from Washington [Mr. POINDEXTER] and vote "nay."

The roll call resulted—yeas 11, nays 35, as follows:

YEAS—11.

Ashurst
Caraway
Dial

Harris
Harrison
Jones, N. Mex.

Overman
Pomerene
Sheppard

Shields
Simmons

NAYS—35.

Ball	Hale	McCormick	Shortridge
Brandeggee	Johnson	McLean	Smoot
Broussard	Jones, Wash.	McNary	Sutherland
Bursum	Kellogg	Moses	Townsend
Calder	Kendrick	Newberry	Wadsworth
Capper	Keyes	Nicholson	Warren
Colt	Ladd	Oddie	Watson, Ind.
Curtis	Lenroot	Pepper	Willis
Gooding	Lodge	Rawson	

NOT VOTING—50.

Borah	Frelinghuysen	New	Stanfield
Cameron	Gerry	Norbeck	Stanley
Crow	Glass	Norris	Sterling
Culberson	Harrell	Owen	Swanson
Cummins	Heflin	Page	Trammell
Dillingham	Hitchcock	Phipps	Underwood
du Pont	King	Pittman	Walsh, Mass.
Edge	La Follette	Poindexter	Walsh, Mont.
Elkins	McCumber	Ransdell	Watson, Ga.
Ernst	McKellar	Reed	Weller
Fernald	McKinley	Robinson	Williams
Fletcher	Myers	Smith	
France	Nelson	Spencer	

The PRESIDING OFFICER. On the amendment offered by the Senator from Texas to the amendment of the committee, the yeas are 11 and the nays are 35. A quorum not being present, the Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Hale	McLean	Smoot
Ball	Harris	McNary	Sutherland
Broussard	Johnson	Newberry	Townsend
Bursum	Jones, Wash.	Nicholson	Wadsworth
Calder	Kellogg	Oddie	Warren
Capper	Keyes	Overman	Watson, Ind.
Caraway	Ladd	Pepper	Williams
Colt	Lenroot	Phipps	Willis
Curtis	McCormick	Rawson	
Ernst	McCumber	Sheppard	
Gooding	McKinley	Shortridge	

The PRESIDING OFFICER. Forty-one Senators have answered to their names. There is not a quorum present. The Secretary will call the names of the absent Senators.

The reading clerk called the names of the absent Senators and Mr. GLASS, Mr. HARRISON, Mr. LODGE, and Mr. MOSES answered to their names when called.

Mr. BRANDEGEE and Mr. KENDRICK entered the Chamber and answered to their names.

The PRESIDING OFFICER. Forty-seven Senators have answered to their names. There is not a quorum present.

Mr. McCUMBER. I move that the Sergeant at Arms be directed to request the presence of absent Senators.

The PRESIDING OFFICER. The question is on the motion of the Senator from North Dakota.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will carry out the instructions of the Senate.

Mr. DIAL and Mr. POMERENE entered the Chamber and answered to their names.

The PRESIDING OFFICER. Forty-nine Senators have answered to their names. A quorum of the Senate is present. The Secretary will call the roll on the amendment proposed by the Senator from Texas [Mr. SHEPPARD] to the amendment proposed by the committee.

The reading clerk proceeded to call the roll.

Mr. COLT (when his name was called). Making the same announcement as before with regard to the transfer of my pair, I vote "nay."

Mr. JONES of Washington (when his name was called). Making the same announcement as before, I vote "nay."

Mr. LODGE (when his name was called). Making the same announcement as before, I vote "nay."

Mr. NEW (when his name was called). Making the same announcement as before, I vote "nay."

Mr. SUTHERLAND (when his name was called). Making the same announcement as before with reference to my pair and its transfer, I vote "nay."

Mr. WATSON of Indiana (when his name was called). Making the same announcement as before, I vote "nay."

The roll call was concluded.

Mr. ERNST. Making the same announcement as before, I vote "nay."

Mr. GLASS. Making the same announcement as heretofore, I vote "yea."

Mr. JONES of New Mexico. Making the same announcement as on the previous roll call as to the transfer of my pair, I vote "yea."

Mr. BALL. I transfer my pair with the Senator from Florida [Mr. FLETCHER] to the Senator from Missouri [Mr. SPENCER] and will vote. I vote "nay."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN];

The Senator from South Dakota [Mr. STERLING] with the Senator from South Carolina [Mr. SMITH];

The Senator from West Virginia [Mr. ELKINS] with the Senator from Mississippi [Mr. HARRISON];

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Virginia [Mr. GLASS];

The Senator from Arizona [Mr. CAMERON] with the Senator from Georgia [Mr. WATSON]; and

The Senator from New Jersey [Mr. FRELINGHUYSEN] with the Senator from Montana [Mr. WALSH].

The result was announced—yeas 11, nays 40, as follows:

YEAS—11.

Ashurst	Glass	Overman	Shields
Caraway	Harris	Pomerene	Simmons
Dial	Jones, N. Mex.	Sheppard	

NAYS—40.

Ball	Hale	McCumber	Phipps
Brandeggee	Johnson	McKinley	Rawson
Broussard	Jones, Wash.	McLean	Shortridge
Bursum	Kellogg	McNary	Smoot
Calder	Kendrick	Moses	Sutherland
Capper	Keyes	New	Townsend
Colt	Ladd	Newberry	Wadsworth
Curtis	Lenroot	Nicholson	Warren
Ernst	Lodge	Oddie	Watson, Ind.
Gooding	McCormick	Pepper	Willis

NOT VOTING—45.

Borah	Frelinghuysen	Norris	Sterling
Cameron	Gerry	Owen	Swanson
Crow	Harrell	Page	Trammell
Culberson	Harrison	Pittman	Underwood
Cummins	Heflin	Poindexter	Walsh, Mass.
Dillingham	Hitchcock	Ransdell	Walsh, Mont.
du Pont	King	Reed	Watson, Ga.
Edge	La Follette	Robinson	Weller
Elkins	McKellar	Smith	Williams
Fernald	Myers	Spencer	
Fletcher	Nelson	Stanfield	
France	Norbeck	Stanley	

So Mr. SHEPPARD's amendment to the amendment of the committee was rejected.

Mr. SHEPPARD. I now move to strike out the remainder of the paragraph as reported by the committee, and to insert the language which I send to the desk, the remainder of the paragraph after the words "ad valorem," on line 4.

Mr. SMOOT. Mr. President, is that motion in order?

The PRESIDING OFFICER. The last amendment proposed by the Senator from Texas does not affect the previous amendment, and the amendment of the committee is now before the Senate.

Mr. SMOOT. The Senator can offer that amendment after the committee amendments are agreed to.

The PRESIDING OFFICER. The question is on the amendment proposed by the committee on page 32, line 3.

The amendment was agreed to.

The ASSISTANT SECRETARY. The Senator from Texas now proposes, after the words "ad valorem" and after the semicolon on line 4, to strike out the remainder of the paragraph, all down to and including line 12, and to insert in lieu thereof the following words:

So-called quarries or quarry tiles, 20 per cent ad valorem; mantles, friezes, and articles of every description or parts thereof, composed wholly or in chief value of earthenware tiles or tiling, except pill tiles, 30 per cent ad valorem.

Mr. SHEPPARD. That is the existing law; and on that amendment I ask for the yeas and nays.

Mr. SMOOT. Technically, of course, the Senator can not offer that amendment at this time.

Mr. SHEPPARD. Why not?

Mr. SMOOT. Because of the fact that there are a number of items stricken out that are in the bill, and there is no amendment on the part of the committee to those items, and the committee amendments are to be considered first, but after the committee amendments are disposed of the Senator can offer his amendment.

Mr. SHEPPARD. Would that be held to be an amendment in the third degree?

Mr. SMOOT. I do not mean now; I mean after the committee amendments in the whole bill are agreed to.

Mr. ASHURST. Mr. President—

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Arizona?

Mr. SMOOT. I do.

Mr. ASHURST. I do not want to discuss the amendment, but I simply want to find out the parliamentary status. A unani-

mous-consent agreement, then, has been entered into to consider committee amendments first, has it?

Mr. SMOOT. Yes.

Mr. ASHURST. And it would not be in order to attempt to amend the text?

Mr. SMOOT. Not until the committee amendments are agreed to.

Mr. ASHURST. But, of course, even under that agreement the Senator is at liberty to move to amend the committee amendments.

Mr. SMOOT. Oh, certainly; but that is not what the Senator is doing. The Senator is striking out, for instance, "mantles, friezes, and articles of every description, or parts thereof." There is no amendment to that.

Mr. ASHURST. Oh, I see; he is striking out the text.

Mr. SMOOT. He is striking out the text and substituting the existing law.

Mr. ASHURST. But he could move an amendment in order on line 5 and line 9.

Mr. SMOOT. Oh, certainly.

Mr. ASHURST. And all of lines 10, 11, and 12.

Mr. SMOOT. As to the rates, that is true.

Mr. SHEPPARD. As the Senator says, technically, of course, the amendment can not be offered in the shape in which I have offered it; but in order to present the issue I ask unanimous consent to offer it in that way. If that is not granted, I will simply move to amend the committee amendment by substituting "20" instead of "50."

Mr. SMOOT. I think the best way to do is to proceed under the unanimous-consent agreement, as we have on all of the other paragraphs that have been disposed of, and of course when the committee amendments are disposed of this amendment can be offered. I think it would be better to follow that course in this instance, too.

Mr. SHEPPARD. Then I ask to have the next committee amendment stated.

The PRESIDING OFFICER. The next amendment of the committee will be stated.

The next amendment of the committee was, in paragraph 202, relative to tiles, on page 32, line 5, to strike out "38" and insert in lieu thereof "50," so as to read:

Valued at more than 40 cents per square foot, 50 per cent ad valorem.

Mr. SHEPPARD. I move to amend by substituting "20" for "50," and on that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. POMERENE. Before the vote is taken I desire to say that I was out at my dinner while a part of this paragraph was passed over, or perhaps was being considered, and I want to ask one of the Senators in charge of the bill a question with regard to the earlier part of the paragraph. On page 31, line 23, after the words "so-called quarries or quarry tiles," are the words "red or brown, and measuring seven-eighths of an inch or over in thickness." Why is this amendment limited to the two colors, red and brown?

Mr. SMOOT. The reason for that is that if we do not make it red or brown specifically, then artificial colors could be put in and simply take a higher rate because of the artificial color. The red and the brown are the natural colors of the clay, and that is all we want to go by.

Mr. POMERENE. They are the natural colors of certain clays. They are not the natural colors of all clays.

Mr. SMOOT. That is true.

Mr. POMERENE. I was not expecting the matter to come up at this particular time, but some months ago some people came to talk to me about this subject, and my impression is that that was one of the objections to the amendment. It picks out the tiles of certain concerns which manufacture the red or brown tile, when there may be other varying colors. The color of the tile when it is finally burned depends in large part on the chemical elements which are in the clay, and why they should make special favorites of those who manufacture either red tiles or brown tiles when there might be intermediate colors I have not been able to comprehend.

Mr. SMOOT. If the Senator will wait just a moment I will call his attention to a decision which was made upon this very point.

Mr. POMERENE. If this matter has not already been passed upon, I should like to have it go over until I can have an opportunity to examine my file.

Mr. SMOOT. If the Senator makes the request, of course I will not object, but will consent to let it go over for the present, until the Senator can get his file.

Mr. POMERENE. I will not be able to do that to-night.

Mr. SMOOT. We can take it up the first thing in the morning.

Mr. POMERENE. I will try to have that done.

Mr. SMOOT. I ask unanimous consent that the vote by which the amendment on page 31, line 23, was agreed to may be reconsidered.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. SMOOT. I ask that that amendment be passed over.

The PRESIDING OFFICER. It will be passed over. The question is on agreeing to the amendment offered by the Senator from Texas [Mr. SHEPPARD], on page 32, line 8, to the amendment of the committee. The yeas and nays have been ordered and the roll will be called.

The Assistant Secretary proceeded to call the roll.

Mr. COLT (when his name was called). Making the same announcement as on the last vote, I vote "nay."

Mr. FRELINGHUYSEN (when his name was called). I transfer my pair with the senior Senator from Montana [Mr. WALSH] to the junior Senator from Missouri [Mr. SPENCER] and vote "nay."

Mr. HARRISON (when his name was called). Making the same announcement as before as to my pair and its transfer, I vote "yea."

Mr. JONES of New Mexico (when his name was called). Making the same announcement as on the previous vote, I vote "yea."

Mr. JONES of Washington (when his name was called). Making the same announcement with reference to my pair and its transfer, I vote "nay."

Mr. LODGE (when his name was called). Making the same announcement as before in regard to my pair and its transfer, I vote "nay."

Mr. NEW (when his name was called). Making the same announcement as to my pair that I made on the previous vote, I vote "nay."

Mr. WATSON of Indiana (when his name was called). Making the same announcement as on the last roll call, I vote "nay."

The roll call was concluded.

Mr. BALL (after having voted in the negative). I understand my pair, the senior Senator from Florida [Mr. FLETCHER], has not voted.

The PRESIDING OFFICER. That Senator has not voted.

Mr. BALL. I transfer my pair to the junior Senator from Oklahoma [Mr. HARRELD] and allow my vote to stand.

Mr. ERNST. Making the same announcement as before, I vote "nay."

The result was announced—yeas 12, nays 40, as follows:

YEAS—12.

Ashurst	Harris	Overman	Sheppard
Caraway	Harrison	Pomerene	Shields
Dial	Jones, N. Mex.	Robinson	Simmons

NAYS—40.

Ball	Gooding	McCumber	Phipps
Brandegge	Hale	McKinley	Rawson
Broussard	Johnson	McLean	Shortridge
Bursum	Jones, Wash.	McNary	Smoot
Caldor	Kellogg	Moses	Sutherland
Capper	Kendrick	New	Townsend
Colt	Keyes	Newberry	Wadsworth
Curtis	Ladd	Nicholson	Warren
Ernst	Lenroot	Oddie	Watson, Ind.
Frelinghuysen	Lodge	Pepper	Willis

NOT VOTING—44.

Borah	France	Nelson	Stanfield
Cameron	Gerry	Norbeck	Stanley
Crow	Glass	Norris	Sterling
Culberson	Harrell	Owen	Swanson
Cummins	Heflin	Page	Trammell
Dillingham	Hitchcock	Pittman	Underwood
du Pont	King	• Poindexter	Walsh, Mass.
Edge	La Follette	Ransdell	Walsh, Mont.
Elkins	McCormick	Reed	Watson, Ga.
Fernald	McKellar	Smith	Weller
Fletcher	Myers	Spencer	Williams

So Mr. SHEPPARD's amendment to the committee amendment was rejected.

The PRESIDING OFFICER. The question recurs on the amendment proposed by the committee.

The amendment was agreed to.

The next amendment of the committee was, on page 32, line 8, to strike out "38" and insert "50," so as to read:

Except pill tiles, 50 per cent ad valorem.

The amendment was agreed to.

The next amendment of the committee was, on page 32, line 9, to strike out the words "brown in color, 3 cents per square foot, but not less than 20," and insert "brown, and measuring seven-

eighths of an inch or over in thickness, 5 cents per square foot, but not less than 30," so as to read:

So-called quarries or quarry tiles, red or brown, and measuring seven-eighths of an inch or over in thickness, 5 cents per square foot, but not less than 30 per cent ad valorem.

Mr. POMERENE. This raises, perhaps, the same question which was involved before. I ask that the amendment may go over.

Mr. SMOOT. I have no objection to its going over.

The PRESIDING OFFICER. Without objection, this amendment will be passed over, and the Secretary will state the next amendment.

The next amendment of the committee was, in paragraph 203, page 32, line 14, to strike out the numeral "100" and to insert "one hundred" in italics.

The amendment was agreed to.

The next amendment of the committee was, on page 32, line 17, to strike out "17" and insert "20," so as to read:

Other cement, not specially provided for, 20 per cent ad valorem.

Mr. JONES of New Mexico. Mr. President, I want to make a statement at this stage of the procedure. We were notified on yesterday that the bill would be taken up in a certain order, and I was furnished with a copy of that order. No one expected we would go ahead and reach the earthenware schedule to-day. The Senator from Arkansas [Mr. ROBINSON] was prepared to take up paragraph 201 and the Senator from Texas [Mr. SHEPARD] paragraph 202 of the earthenware schedule, but no one expected that that schedule would be reached to-day. We thought we would go ahead with the items which have been passed over in the first schedule.

Mr. SMOOT. Mr. President—

Mr. JONES of New Mexico. I yield to the Senator from Utah.

Mr. SMOOT. I want to say to the Senator from New Mexico that the junior Senator from Utah [Mr. KING] had to go to Chicago. He desired that the item should go over until his return. He made a special request to that effect. We can return to zinc oxide if the Senator is ready to proceed with that.

Mr. JONES of New Mexico. I am ready to proceed with that item.

Mr. SMOOT. I have no objection to returning to zinc oxide and proceeding with the consideration of that item. I will say to the Senator that the other matters were passed over because of the request made by the junior Senator from Utah, who stated that he had to leave the city, that he had an engagement in Chicago, and would not be back until Monday morning.

Mr. JONES of New Mexico. I did not know that the request applied to all the passed-over items. I thought it applied only to the dye embargo provisions and the duties on dyes and the related items.

Mr. SMOOT. The junior Senator from Utah especially mentioned that subject, but I understood him to say when he left that he desired the items which had been passed over to go over until Monday because he could not be in attendance before that time. If the Senator from New Mexico will take the responsibility and answer to the junior Senator from Utah for the promise that was made to him, he can call up any item that he desires.

Mr. JONES of New Mexico. I suppose there is no objection to taking up the first paragraph of the second schedule then?

Mr. ROBINSON. The first paragraph of that schedule was passed over because of the absence from the Chamber of the Senator from Idaho [Mr. GOODING].

Mr. SMOOT. That is correct.

Mr. ROBINSON. That Senator is now present and if he is ready and desires to do so, I know of no reason why the Senate should not proceed with that item.

Mr. CURTIS. I think the Senator from Arkansas must have misunderstood the chairman of the committee. The intention was to have a further hearing before the Committee on Finance in the morning.

Mr. ROBINSON. The chairman of the committee did say that the junior Senator from Idaho had presented to the committee some matter touching the brick paragraph and had not concluded it. He did not say when it was expected the matter would be concluded, but I think perhaps it is true that the Senator from North Dakota did not expect to proceed with the paragraph to-night. However, I am merely announcing that I am ready to proceed with it, and if Senators on the other side are ready there is no reason why we should not go ahead with it.

Mr. GOODING. Mr. President, I asked the chairman of the committee to give me a hearing on the brick paragraph to-morrow morning, which he promised to do, and I would like to have the item go over for that reason.

The PRESIDING OFFICER. The understanding of the Chair was that paragraph 201, fire brick, has been passed over.

Mr. ROBINSON. It was passed over, but no definite time for its consideration was fixed.

The PRESIDING OFFICER. That is true.

Mr. ROBINSON. If anyone insists that it shall go over, I do not insist upon proceeding with it now. I merely announced that we are ready to go on with it if the others are, but the Senator from Idaho has stated that he wants to take up the matter again before the committee in the morning, so I presume that will carry it over.

The PRESIDING OFFICER. The previous arrangement then remains unchanged and the item will be passed over.

Mr. SMOOT. I am perfectly willing to take up paragraph 8, antimony, which was passed over, if the Senator desires to do so, but I wish to be frank with the Senator from New Mexico and say that I understood the junior Senator from Utah to ask that those items which had been passed over should not be taken up in his absence. I may be mistaken and the Senator from New Mexico may be correct, but the junior Senator from Utah specifically mentioned paragraphs 25 and 26 and wanted those two paragraphs to go over entirely until we take up the embargo. I understood that he wanted those items which have been passed over to go over until his return, but I may be mistaken.

Mr. SIMMONS. Mr. President, as I understood the junior Senator from Utah, he wanted the embargo question to go over, but I did not understand him as asking that all these items should go over and await his return.

Mr. SMOOT. Then I ask that we take up paragraph 7, ammonium carbonate and bicarbonate.

The PRESIDING OFFICER. Let us come to some understanding about paragraph 203, cement. Is the Chair to understand that by agreement the amendment on line 13, page 32, is passed over?

Mr. SMOOT. No one has asked that that be passed over.

The PRESIDING OFFICER. The Chair understood the Senator from New Mexico [Mr. JONES] to ask that it be passed over.

Mr. JONES of New Mexico. That involves the question of Portland cement.

Mr. SMOOT. No; not at all. Portland cement has nothing to do with that amendment.

Mr. JONES of New Mexico. Does not the amendment in line 17, page 32, cover Portland cement?

Mr. SMOOT. That is "other cements, not specially provided for." On Portland cement a rate of only 5 cents per 100 pounds is proposed by the committee.

Mr. UNDERWOOD. But they are all in the same paragraph.

The PRESIDING OFFICER. The pending question is on the amendment in line 17, page 32.

Mr. SMOOT. And that does not touch Portland cement at all.

Mr. JONES of New Mexico. The whole matter ought to be discussed together before we decide upon that part of it.

Mr. SIMMONS. That is, other cements than Portland cement?

Mr. SMOOT. Yes.

Mr. SIMMONS. When that amendment is voted upon, there will be a motion offered, I suppose, to adopt the paragraph, will there not?

Mr. SMOOT. Certainly; that is, the amendment is all there is in the paragraph which has not been agreed to.

The PRESIDING OFFICER. May the Chair interject that it is not the practice in the Senate to move to adopt a paragraph but merely to agree to the amendment in a paragraph.

Mr. SIMMONS. So I supposed, the motion being simply to agree to the amendment.

Mr. SMOOT. That is all.

The PRESIDING OFFICER. That, the Chair will state for the information of the Senator from North Carolina, is the pending question.

Mr. SIMMONS. I understand what the pending question is.

The PRESIDING OFFICER. Is it agreed that that amendment shall be passed over?

Mr. SMOOT. No; it is not.

Mr. SIMMONS. I will state the only reason why I ask that it be passed over. I am willing to go on with it myself right now, and ready to discuss it if the Senator from Utah wants to discuss it, but I wish to say that the Senator from Nebraska [Mr. HITCHCOCK] has been investigating the matter and desires to discuss it. He is unfortunately unable to be here to-night.

Mr. SMOOT. All the cement which falls under the amendment in that paragraph is some special kind of cement, generally with a trade-mark. It does not touch Portland cement

at all. It involves cements in little cans, with trade-marks, or some special kind of cement.

Mr. SIMMONS. What are the cements used for which are included in the amendment?

Mr. SMOOT. Does the Senator mean those "not specially provided for"?

Mr. SIMMONS. How are they designated and what are they used for? I know Portland cement and Roman cement are used in house building and road construction.

Mr. SMOOT. These cements are used more as pipe cements than anything else. They are higher priced, and they are generally put up in little packages, although some are not. It has no more reference to Portland cement than cement has to lime.

Mr. SIMMONS. I suppose that is true. It is not Portland cement and it is not Roman cement. I do not know exactly what it is. I do not know the use of it. I do not know the kinds. For some reason I take it the Senator from Nebraska [Mr. HITCHCOCK] has some objection to this amendment.

Mr. SMOOT. He might have some objection to the rate of 5 cents a pound on Portland cement, but that is not up for discussion at this time.

Mr. SIMMONS. And the Senator probably knew that it was not up for discussion, because the committee only changed the numerals "100" to the words "one hundred." There could be no objection to that. I assume the other item is the only matter the Senator from Nebraska intends to discuss. However, if the Senator from Utah desires to take it up in his absence I have nothing to say.

Mr. SMOOT. This is all that I would suggest—

Mr. SIMMONS. I notice that the Senator from Utah has been very liberal in putting over matters for Senators on the other side of the Chamber who do not happen to be here to-night or whose convenience will be advanced or promoted by putting the items over.

Mr. SMOOT. Mr. President, that is not a fair statement.

Mr. SIMMONS. I withdraw it if the Senator thinks it is unfair.

Mr. SMOOT. I requested a moment ago, and the Senator must have heard me, that all of this paragraph should go over on the request of a Democratic Senator, and I am perfectly willing that it shall go over.

Mr. SIMMONS. I withdraw the statement if the Senator says it is unjust. I did not hear him when he made that request. If the Senator from Utah is going to get angry, of course I will have to withdraw it.

Mr. SMOOT. I am going to say this much further to the Senator, that if we act upon this amendment to-night, which I hope we will, because it does not amount to anything—I am referring to the amendment we have up now—and if the Senator from Nebraska when he returns wants to open up the item for discussion I shall ask unanimous consent that the vote by which the amendment was agreed to shall be reconsidered, and the Senator then can make any kind of statement upon it he sees fit, just as if it had never been acted upon.

The PRESIDING OFFICER. The Chair understands the Senator from Utah to object to the unanimous-consent request to pass over this amendment at the present time. The question is upon agreeing to the amendment proposed by the committee.

Mr. SIMMONS. Mr. President, I do not propose to discuss this item to-night myself, but I offer an amendment to reduce the amount specified in the committee amendment from 20 per cent to 10 per cent.

The PRESIDING OFFICER. The amendment proposed by the Senator from North Carolina to the amendment of the committee will be stated.

The ASSISTANT SECRETARY. On page 32, line 17, in lieu of the numerals "20" proposed to be inserted by the committee, the Senator from North Carolina proposes to insert "10," so as to read:

Other cement, not specially provided for, 10 per cent ad valorem.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from North Carolina to the committee amendment.

Mr. SIMMONS. I ask for the yeas and nays on the amendment.

The yeas and nays were ordered, and the Assistant Secretary proceeded to call the roll.

Mr. BALL (when his name was called). Making the same announcement as on the previous vote with reference to my pair and its transfer, I vote "nay."

Mr. FRELINGHUYSEN (when his name was called). Making the same announcement as before, I vote "nay."

Mr. HARRISON (when his name was called). Making the same announcement as on the previous vote, I vote "yea."

Mr. JONES of Washington (when his name was called). Making the same announcement as before, I vote "nay."

Mr. NEW (when his name was called). Making the same announcement as on the previous vote, I vote "nay."

The roll call was concluded.

Mr. WATSON of Indiana. Making the same announcement as heretofore, I vote "nay."

Mr. COLT. Making the same announcement as heretofore, I vote "nay."

Mr. CURTIS. I am requested to announce the following pairs:

The Senator from Arizona [Mr. CAMERON] with the Senator from Georgia [Mr. WATSON];

The Senator from Vermont [Mr. DILLINGHAM] with the junior Senator from Virginia [Mr. GLASS];

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN]; and

The Senator from South Dakota [Mr. STERLING] with the Senator from South Carolina [Mr. SMITH].

The result was announced—yeas 12, nays 42, as follows:

YEAS—12.

Caraway	Harrison	Pomerene	Shields
Dial	Jones, N. Mex.	Robinson	Simmons
Harris	Overman	Sheppard	Underwood

NAYS—42.

Ball	Hale	McKinley	Rawson
Brandegge	Johnson	McLean	Shortridge
Broussard	Jones, Wash.	McNary	Smoot
Bursum	Kellogg	Moses	Sutherland
Calder	Kendrick	New	Townsend
Capper	Keyes	Newberry	Wadsworth
Colt	Ladd	Nicholson	Warren
Curtis	Lenroot	Norbeck	Watson, Ind.
Ernst	Lodge	Oddie	Willis
Frelinghuysen	McCormick	Pepper	
Gooding	McCumber	Philpps	

NOT VOTING—42.

Ashurst	Fletcher	Nelson	Stanley
Borah	France	Norris	Sterling
Cameron	Gerry	Owen	Swanson
Crow	Glass	Page	Trammell
Culberson	Harrell	Pittman	Walsh, Mass.
Cummins	Heflin	Polndexter	Walsh, Mont.
Dillingham	Hitchcock	Ransdell	Watson, Ga.
du Pont	King	Reed	Weller
Edge	La Follette	Smith	Williams
Elkins	McKellar	Spencer	
Fernald	Myers	Stanfield	

So the amendment of Mr. SIMMONS to the committee amendment was rejected.

The PRESIDING OFFICER. The question recurs on the amendment proposed by the Committee on Finance.

Mr. UNDERWOOD. Mr. President, I propose to detain the Senate but for a moment in reference to the pending paragraph. I stated the other day that when the present law was written an earnest effort was made by those who drafted the bill to provide so far as possible untaxed material for the building of the homes of America; and I pointed to the fact that in writing that bill shingles and lumber had been put on the free list; that the tax on paints had been very greatly lessened; and that on almost everything else that went into the homes or into the schoolhouses the tax had been entirely removed or greatly reduced.

I realize that those who believe in a protective-tariff system see no reason why there should be discrimination in favor of the citizens when tariff taxation is levied or in the purposes for which it is levied. That is the distinct line of demarcation between those who believe in the character of law that is now on the statute books and those who frame a protective-tariff measure.

Of course there is only one amendment now pending to this paragraph, as the Senate committee agree with the House of Representatives in reference to Portland, Roman, and other hydraulic cements. The only amendment which the Senate committee have proposed to the paragraph as it came from the other House is to increase the tax on cements other than Roman, Portland, and other hydraulic cements. I must say that the item on which the committee have increased the tax imposed in the bill as it came from the other House is of minor importance; but that is not true as to the item in which they agreed with the House bill and left a 5-cent tax on every 100 pounds of building cement which is introduced into the United States.

Under the agreement as to the consideration of this bill the amendments proposed by the Committee on Finance must be considered before there is any opportunity to offer amendments as to the remainder of the schedule. So, Mr. President, we are prevented from making any motion in reference to this important item except as to a minor subdivision; but, Mr. President, the proposed duty on Roman cement and Portland cement shows how far the majority members of the committee may go

in trying to protect special interests in this country when such protection is absolutely unnecessary.

Everybody knows that the great equation incident to the distribution of cement is transportation; that the cost of making cements is a minor consideration compared to the cost of transportation.

I recall that at one time when I was a Member of the House of Representatives the question of building the great Roosevelt Dam near Phoenix, Ariz., arose. The project had been agreed upon and the appropriation was made, or the money had been allocated for that purpose; but when the engineers of the Government started to build that dam they found that all the cement manufacturers in the United States had entered into a combination and fixed the price of cement, for they knew that an immense amount of cement was going to be used in the construction of that dam. They put up the price on the American people and on the Government and on the homesteaders in the Salt River Valley, who ultimately had to pay for the dam. The railroads also at the same time put up their cost of transportation. The result of the concerted move on the part of the manufacturers of cement and the railroads was that the Government engineers went to the site of the location of the dam and there easily found a cement rock; and, instead of paying the exorbitant price that this combination proposed to impose on the Government, the burden of which ultimately would have been imposed on the farmers and homesteaders of the Salt River Valley for the cost of the dam, the Government built its own cement factory to make cement merely for the purpose of building the dam, and scrapped the factory when the dam was built, thereby saving one-half the cost of the amount which otherwise they would have paid for the cement. There is hardly a State in the Union that has not cement rock. The cost of preparing the rock for the manufacture of cement is not great, but the real question is one of transportation.

Mr. President, there may be a few points at the borderline of our country where the foreign manufacturer of cement may cross and compete with the American manufacturer just across the line, but it is only within a very narrow margin; yet, in order to protect those few individuals, those few places right along the borderline—for the foreign cement on account of its weight and the freight rate can not enter the country to any distance—the Committee on Finance now proposes to take cement off the free list, where it is now untaxed, and put a tax of 5 cents per 100 pounds or \$1.10 a ton on every ton that comes through the customhouse. Of course, there will be very little come through the customhouse; but this proposed legislation will build up a wall to allow the cement manufacturers within the country to level tribute to that extent on the American people. The proposed tax is not necessary. Keeping cement on the free list would not destroy an American industry. The imposition of the tax is not going to protect labor; it is nothing in the world but an effort of the Finance Committee to try to collect money from the pockets of the mass of the people and to take that money and put it into the coffers of the few special producers of cement.

There is to-day no more important article to the home life and business life and hygiene of America than cement. Millions of tons of it go into the roads over which the children are transported to school in automobiles.

Mr. SIMMONS rose.

Mr. UNDERWOOD. I will yield to the Senator from North Carolina in just a moment.

The works in every drainage district are made with cement; cement is the foundation of almost every house; the lining of wells to protect them from infection is now made of cement, and not of brick. Now I yield to the Senator from North Carolina.

Mr. SIMMONS. I have just gotten some data here that I wish to furnish the Senator in connection with the argument he has just made.

In 1920 I find that there was produced in this country 100,000,000 barrels of cement, the unit value of which—that is, the barrel—was \$2.02. When the war began it was selling for about 85 or 86 cents. The imports in 1920 were only about half a million barrels. In 1921 the imports were only 120,000 barrels. The exports in 1920 were 2,985,807 barrels. The percentage of imports to domestic production is just about one-half of 1 per cent.

Mr. UNDERWOOD. I did not have an opportunity to see the figures before I started to make my discussion, but I know that what the Senator has just said is true, because I examined it years ago—that the imports coming into this country amount to one-half of 1 per cent and the exports about equal the imports.

Mr. SIMMONS. No; the exports for 1921 were 1,181,024 barrels. The imports were only 121,000 barrels; so the Senator will see that it is eight or ten times as much.

Mr. UNDERWOOD. Oh, yes—121,000 barrels. Then, the imports do not equal one-half of 1 per cent—not nearly—and the exports are as much as 1 per cent of the American production; so that the exports going out of this country exceed the imports coming in several times over, and yet all of them are infinitesimal in proportion to the American production.

Mr. SIMMONS. Nearly ten times over.

Mr. UNDERWOOD. A hundred times. The American production is more than a hundred times greater than the imports.

Mr. SIMMONS. Oh, yes; several hundred times greater.

Mr. UNDERWOOD. So that if you are going to have any tariff at all to produce revenue for the Government, you can not disturb that situation without damming out all of it. The result is that except possibly at some little corner of the United States not a barrel of Portland cement will come into this country, and yet you are going to erect an impregnable wall, behind which special interests may flourish to levy their tribute on the foundations of the home, the cellars of the people, the great roads of the country, and every other useful enterprise that needs cement.

Mr. President, I suppose it is utter folly to talk to the gentlemen who have charge of this bill with the idea that they will change their language one iota; but if there is any tax in this bill that is not justified from a revenue standpoint, because it will produce only an infinitesimal amount of revenue, or from a protective standpoint, unless somebody along the borderline has to be wet nursed in order that honest competition can not come in in connection with him, it is this paragraph of the bill. There is no justification whatever for it.

Mr. McCUMBER. Mr. President, I want first to correct one statement made by the Senator. He says that the committee has increased the duty. The House bill called for a duty of 17 per cent ad valorem.

Mr. UNDERWOOD. The Senator will please put me correctly before he starts to correct me. I said that you had increased the duty over the present law. This article is on the free list under the existing law.

Mr. McCUMBER. Then I misunderstood the Senator.

Mr. UNDERWOOD. That is what I said.

Mr. McCUMBER. I desire to state, however, that compared with the House bill we have reduced it, so that it is not even half of what the House bill would be at 17 per cent upon the American valuation.

I desire to say further, Mr. President, that this affects only the production along the Canadian line. It probably will not affect the price at all at other points in the United States. Canada has a duty of 11 cents a hundred; and if the American along the Canadian line desires to ship cement into Canada he must pay 11 cents for every hundred pounds, while under the present law the Canadian would ship into the United States freely. Of course, neither of them will ship very far on account of the freight rates; but it does affect, and affect disadvantageously, the American producer along the Canadian line.

The duty is a very small one, and I think it should be sustained.

Mr. POMERENE. Mr. President, I desire to ask the Senator from North Dakota a question. What duty is charged by the Canadian Government?

Mr. McCUMBER. Eleven cents per hundred pounds.

Mr. POMERENE. That is against the importation of our cement?

Mr. McCUMBER. Portland cement; yes.

Mr. POMERENE. I notice that in the Summary of Tariff Information which is presented here this significant statement is made:

The bulk of the increase—

That is, since the armistice—

is Canadian cement from plants located near the border. The Canadian industry is expanding and will be of increasing importance in the domestic market.

But this is added:

Most Canadian plants operate at a disadvantage, however, since fuel must, in most cases, be imported from the United States.

That is the situation with regard to cement. I simply want to add this further statement:

Cement is produced all through our section of the country, and I do not know of what particular benefit this tariff would be to them. Of course, like everything else, if they can get a tariff I assume that they want it.

Mr. SMOOT. Mr. President, just for the RECORD, I want to state the reason for the Government building a cement plant

at the Roosevelt Dam. The Senator from Alabama, I think, was a Member of the House then, and I was a Member of the Senate. It was figured that the freight rate on the cement from the nearest factory that could furnish the cement to that dam would amount to more than the building of the whole plant.

Mr. UNDERWOOD. I will say to the Senator that what I said I said advisedly, because I was on the committee that acted on the question, and I know that we had hearings, and it was shown there that the cement operators had gone into a combination and put the price up on the Government, and so had the railroads.

Mr. SMOOT. I am not disputing that, because I do not know anything about the combination of the cement industry; but I know that it was shown that the railroad freights alone on the cement from the closest cement factory to the Roosevelt Dam would have amounted to more than the building of a cement plant, and of course it was a very splendid thing for the Government to do.

Mr. UNDERWOOD. Certainly; and that being the case, showing that this question is governed by freight rates, your committee, where there is no necessity to put this in here to protect an American industry throughout the country unless you want to play favorites right on the border, put it in here so that they may have this to hide behind.

Mr. SMOOT. The Senator is right as far as 90 per cent of the cement manufacturers in the United States are concerned, and perhaps more than that. It is only a question here of the people along the border in Canada. That is all that will ever be affected.

Mr. UNDERWOOD. Yes; just a few favorites here.

Mr. SMOOT. I do not think they are favorites. I think it is a condition that exists; and, of course, they can have a cement factory in one place from which we can ship cement into Canada because of the freight rate. The Senator is right on the question of cement; it is a freight question. Some of that cement is manufactured in some of our cities and shipped into Canada, with a duty of 11 per cent. Why? Not because Canada can not furnish it, but because of the fact that the freight rate is more than the 11 per cent itself to the point at which they want to use the cement.

Mr. ROBINSON. Mr. President, referring to the statement made by the Senator from Alabama [Mr. UNDERWOOD] as to the condition of the cement business at the time of the construction of the Roosevelt Dam, much evidence exists to establish the conclusion that that condition has not materially changed. The cement business is controlled by an organization of the industry which constitutes a monopoly.

The Senator from New York [Mr. CALDER] this morning put into the RECORD a portion of the report of a legislative investigating committee in that State touching housing conditions, commonly known as the Lockwood committee. That committee in its intermediate report discusses at some length, on page 86, what it designates as the cement combination.

The Lockwood committee declares that throughout the eastern district of the United States, and in fact throughout the entire country, the business is controlled by what is known as the Cement Manufacturers' Protective Association. The eastern branch of the business, it is stated, is in the hands of 19 manufacturers who are associated under the title of the Cement Manufacturers' Protective Association, the largest producers being the Atlas Cement Co., the Lehigh Portland Cement Co., and the Alpha Portland Cement Co. It is stated in the report to which I have referred that the aggregate business of the group just mentioned exceeded 50,000,000 barrels per year at the time of the investigation. The eastern organization was connected by the most intimate affiliation and exchange of detailed information with two other organizations in different sections of the country. The report set forth that at fixed times these groups, representing the various sections of the United States, exchanged all the information or data which they possessed concerning every transaction in the business, the result of which was to bring about uniformity of trade conditions and uniformity of prices throughout the United States; and that combination is designated by the committee as one of the most flagrant and dangerous monopolies in the building industry.

The committee report proceeds to detail the manner in which this combination was effected and carried out. It states:

A complex reporting system for the purpose of controlling prices maintained by the eastern association required each member to make a daily report to the association of all business done by that member. These reports were exchanged daily between all the members of the organization, each being obliged to report on a form card every contract closed. These cards were mimeographed and immediately sent to every other member of the organization. Besides this daily disclosure and exchange of the business of each other to each and all of the others, the association issued bulky quarterly printed books or bulletins spec-

ifying every contract made by each member for specific job work with all the details of the contract. Each of the three associations covering various sections of the country had the same system and exchanged such information.

A comparison of the voluminous quarterly-yearly reports shows absolute uniformity of price in any given period. There were wide fluctuations in the price of cement between 1915 and 1919, but it fluctuated constantly upward, and when there were price changes they were uniform and instantaneous with mathematical precision.

The testimony of the vice president of one of the companies in the combination known as the Cement Manufacturers' Protective Association, namely, the vice president of the Alpha Portland Cement Co., touching upon the point of uniformity of prices, made this statement quoted in the Lockwood report at page 87:

I don't know of any variation between the price of my closest competitor and myself to the extent of 1 cent a barrel at any time in two years.

That declaration of fact is conclusive evidence that the condition described by the Senator from Alabama as existing some time ago was true as to conditions at the time this committee made its investigation and submitted its report. It shows conclusively that the cement business is controlled absolutely, both as to trade conditions and prices.

The Lockwood committee report proceeds:

The uniform advances in the market price of cement by this combination and the dates of changes in price are shown by reference to the manufacturers' prices in New York City up to November 1, 1920, which were as follows.

Now, listen to these figures relating to prices of cement, and the uniform and very great advances beginning with January 1, 1920, when the price per barrel was \$2.65. The price per barrel on the respective dates is stated as follows:

March 29	\$2.75
April 7	2.95
April 23	3.35
June 18	3.65
July 13	3.90
October 4	4.09

Mr. DIAL. Mr. President—

The PRESIDING OFFICER (Mr. FRELINGHUYSEN in the chair). Does the Senator from Arkansas yield to the Senator from South Carolina?

Mr. ROBINSON. I yield.

Mr. DIAL. Does the Senator mean that that is the average price, or did it all go up at the same time?

Mr. ROBINSON. I mean that according to this record they all advanced at the same time. To quote the language of the president of the Alpha Portland Cement Co.:

I do not know of any variation between the price of my closest competitor and myself to the extent of 1 cent a barrel at any time in two years.

Mr. DIAL. It sounds very much like a conspiracy, does it not?

Mr. ROBINSON. Beyond any doubt, if that evidence is to be accepted as reliable, it is a trust within the meaning of the Sherman antitrust law and ought to be proceeded against under that statute.

Mr. DIAL, Mr. HITCHCOCK, and Mr. CALDER rose.

The PRESIDING OFFICER. Does the Senator from Arkansas yield; and if so, to whom?

Mr. ROBINSON. I yield first to the Senator from South Carolina, who rose first.

Mr. DIAL. Notwithstanding all that, the United States Government is one of the largest consumers of cement, indirectly, through the States in building bridges and constructing highways.

Mr. ROBINSON. Yes; it is.

Mr. DIAL. Our taxes go very largely for those activities.

Mr. ROBINSON. To pursue the suggestion which the Senator from South Carolina has just made, public works which require the use of Portland cement are in process of construction throughout the United States on behalf of States, counties, and other governmental subdivisions.

Mr. DIAL. And the National Government contributes and helps pay for it.

Mr. ROBINSON. I yield now to the Senator from Nebraska.

Mr. HITCHCOCK. Mr. President, evidently the Attorney General's office takes the same view as that taken by the Senator from Arkansas, that there is a Cement Trust. I notice by the New York papers that that trust has been on trial for the last five weeks, and the case is now nearing its conclusion. The hearings were closed yesterday, and the arguments are proceeding to-day and to-morrow. In view of the fact that the legal department of the Government, acting upon the statistics which the Senator from Arkansas has read, has proceeded to prosecute this Cement Trust as a criminal conspiracy, I would like to know of some member of the Finance Committee why the committee is recommending to the Senate the establishment of

this high tariff on the product—the legal branch of the Government prosecuting the conspiracy for robbing the American people, and the legislative branch deliberately proposing to raise a tariff wall around the country so as to give it a better opportunity.

Mr. CALDER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from New York?

Mr. ROBINSON. I yield.

Mr. CALDER. If the Senator will pardon me, I was going to call his attention to the fact just mentioned by the Senator from Nebraska that those men were indicted by a Republican district attorney in New York, and are now being tried. In further answer to the statement just made by the Senator from Nebraska, I want to call his attention to the fact that these increases in prices, beginning, as the Senator from Arkansas has indicated, early in 1920, step by step, step by step, until they increased 100 per cent in one year, all occurred in the period when cement was admitted free of duty. It occurred to me that the fact that cement was free did not have the effect of bringing down the price.

Mr. ROBINSON. In reply to that statement I will say to the Senator from New York that ought to suggest to his mind that if these conditions exist his party should not put a premium upon the conduct of this trust by raising a tariff wall so as to prevent the possibility of importations of material quantities of cement into the United States in competition with the products of the trust.

Mr. CARAWAY. Mr. President, would it not suggest itself also that if this trust is able to control prices and raise them when the product is free, it needs no protection?

Mr. ROBINSON. Absolutely. I have not concluded my discussion of the facts which I am producing in an attempt to show that this association is a trust. I intend to submit some conclusions.

Mr. CARAWAY. May I say just one more word?

Mr. ROBINSON. I yield with pleasure.

Mr. CARAWAY. I know this is true, at least in our section, that not only do they agree upon prices but the territory is parceled out, and you can not buy in one section where low prices may be quoted if you do not belong to that territory; and the road commissioners in Arkansas have been unable to purchase from people in some other section than their own.

Mr. ROBINSON. Not only is the statement just made by my colleague true, but if a purchaser of Portland cement or other cement for use in the construction of the highways has a controversy with the company from whom he purchases, he can not purchase one pound of Portland cement from any other company until he adjusts that controversy to the satisfaction of the other party to it.

Mr. HARRIS. Mr. President, I want to remind the Senator from Arkansas that this is not the first time they acted as a trust. In the Roosevelt administration, I believe it was, either the Bureau of Corporations or the Department of Justice investigated them and found that they were acting as a trust.

Mr. ROBINSON. To proceed with some further evidences on which this committee based its conclusion that the business is trust controlled, I want to bring to the attention of the Senate two regulations which were adopted by those controlling the organization, for the purpose of enabling the trust to know at all times what stocks were on hand and what uses were contemplated for the same:

(1) Dealers were allowed an advance supply equal only 15 days.

(2) Where a contractor required cement for a particular job he was required to execute an agreement that the cement delivered would be used only for the purpose specified in the contract and on that particular job. If any cement remained after the job was completed, he was under obligation to return it, so that by no possibility could a stock be surreptitiously accumulated.

So we have the evidence that the dealers in cement and their organizations require the mutual exchange of all information respecting contracts and prices; that when one dealer raises the price all other dealers simultaneously do the same thing, and that the net result of the combination during the year 1920 was to almost double the price of this expensive material.

Mr. POMERENE. Mr. President, is this a part of the perfectly balanced tariff law about which we have heard so much this afternoon?

Mr. ROBINSON. Mr. President, I wonder what sort of a conscience an individual must have to justify the imposition of a tariff for protective purposes on the products of this gigantic trust? I wonder by what mental process a protective tariff can be justified in honest conviction, whether one be a Democrat or a Republican, when the circumstances surrounding the industry exist which are disclosed in connection with cement.

The committee, further proceeding, reported:

In order to further enforce compliance with these provisions by the purchase, the association maintained a vigilance system with a staff of inspectors throughout the territory to check up the supply on hand at the various dealers and the uses to which their stock had been put.

When public sentiment became aroused and the manner in which this industry was controlled and conducted was discussed, particularly in the city of New York the dealers announced that they had suddenly abandoned their former practices which had proved so obnoxious to the public. But the Lockwood committee went into that question and reached the conclusion that in spite of the protestations of reform the combination continued to operate in other forms, notwithstanding the fact that in the meantime its members have been indicted.

The tax on Portland and Roman cement in this paragraph is 5 cents per hundred pounds, or \$1 per ton. How do you justify the imposition of any tax for the protection of this trust-controlled product? Throughout the United States this combination is levying tribute from every road district, from every home builder, from every bridge builder, charging excessive and extortionate prices. The outrageous extortion in the State of New York almost produced a revolution there. Thousands of people homeless, the construction of buildings suspended, business throughout the country suffering interruption consequent to that condition, and yet the Senate is asked to levy tribute upon the American people for the benefit of men and combinations of men who violate and defy the laws of the United States and of the States of the Union.

Mr. POMERENE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Ohio?

Mr. ROBINSON. I yield.

Mr. POMERENE. It perhaps may add a little to the illumination of the subject if I were to give to the Senate some information which came to me to-day.

In the State of Ohio there have been built up to date about 5,100 miles of paved highway throughout the State. That means the equivalent of one road from New York through Ohio to San Francisco and back nearly to Columbus, Ohio. A large part of these roads are made of brick with a concrete base. Many others are made of cement. During the past year or two very bitter complaints have been made because of the very high prices that must be paid by the State or the county, as the case may be, for road-building material, a large part of which is the cement which the Senator from Arkansas is discussing.

I suspect our friends who talk about this bill being for the benefit of the farmer will be able to demonstrate how it is going to benefit the farmer to have this increased price in the road-building material of the country, a large part of which is paid by assessment upon their farms or by taxes collected either by the State or the county or the Nation.

Mr. ROBINSON. Mr. President, the condition described by the Senator from Ohio in that State is similar to those in the State of Arkansas. For 10 years the road question was agitated there, until public sentiment became so overwhelming in favor of the construction of improved highways that the people, in the form of improvement districts, provided for the construction of more than 4,000 miles of roads within the limits of the State, the greater portion of them being hard surface and the principal part also contemplating the use of large quantities of cement. That condition is quite general in nearly all the States.

About the time the war began the States in the South and Southwest moved forward as if in one enterprise for the construction of hard-surface roads. The people had come to know that rapid and permanent progress without them was impracticable, if not impossible. For every mile of road that has been built and for all highways that are now under construction throughout the United States excessive prices have been paid and are being charged now for cement. This will continue, in all probability, whatever may be the provision in this bill, but it is astonishing beyond my comprehension that the Senate of the United States should be requested, should be urged, to put a protective tariff upon a trust-controlled product, and thus fasten more securely upon the public its iniquitous power. Where is the justification for it in law, in common sense, or in morals?

Mr. DIAL. Mr. President, I wish to ask the Senator a question, if he will yield to me.

Mr. ROBINSON. I yield gladly to the Senator from South Carolina.

Mr. DIAL. The Senator will recall that Congress appropriated about \$17,000,000 with which to build new hospitals to take

care of sick and wounded ex-soldiers, and a large part of the expense involved in that construction will, of course, be cement. Does not the Senator think the tariff will help keep up the prices in the United States at the expense of the wounded and disabled ex-soldiers, because the construction of the buildings which are provided for in the act, as the Senator will recall, must be fireproof?

Mr. ROBINSON. Yes; the Senator is correct. Not only is cement used in the construction of highways and private homes but in many public buildings, including hospitals constructed under the order of Congress for the benefit of sick and wounded ex-service men. This trust has levied a tribute of millions of dollars against the Government of the United States. We are imbecile enough—I will not say mean enough—to consider putting a premium upon the outlawry of the agencies which, while plundering the citizens and home builders of the land, dishonor the flag and the Government it symbolizes.

Mr. CALDER. Mr. President, the Senator from Alabama [Mr. UNDERWOOD], it seems to me, in his statement this evening touched the point better than anyone else. As I recall it, he said that the transportation question was the most important one affecting the price of this commodity. I believe that is so. The greater the distance necessary to carry the article the more it costs the consumer; the price goes up accordingly, of course.

I have taken the trouble to look up the price of cement quoted in the Tariff Information Survey, volume 2. I observe that beginning in 1900, when the tariff was 7 cents per hundred pounds, 2 cents per hundred pounds more than the amount proposed in the pending bill, the average factory price per barrel was \$1.09, and the same in 1901, when the tariff rate was 8 cents.

The price hovered along about \$1 per barrel until the Payne-Aldrich law was enacted, that much-defamed measure which fixed the duty at 8 cents per hundred pounds. Then the price of cement in this country, the average price at the mill, went down to 85 cents a barrel in 1908; in 1909 it was 81 cents; in 1910, 89 cents per barrel; in 1911, 84 cents per barrel; in 1912, 81 cents per barrel; and in 1913, \$1 per barrel. Then it began to rise under the Underwood law, a law under which cement was admitted free of duty. It continued to rise until in 1919—

Mr. ROBINSON. Mr. President, will the Senator yield for a question?

Mr. CALDER. Certainly.

Mr. ROBINSON. I presume the purpose of the Senator's argument is to show that the intention of the proposed duty is to lower the price of cement.

Mr. CALDER. The rates then began to rise, and we find that in 1919 the mill price was \$1.69; and in 1920, as the distinguished Senator from Arkansas has pointed out, the price ran up to \$4 a barrel, and still there was no tariff on cement.

Now, of course, these exorbitant prices were caused by a combination of the cement manufacturers. In New York State a Republican legislature authorized the appointment of an investigating committee, of which Senator Lockwood is chairman, a State senator coming from my old congressional district. It is true that we have a gentleman for counsel of the committee from the Senator's own party, doing a splendid job.

What happened? As the result of the information unearthed by this committee we have been able to obtain information, to submit it to the Federal authorities, by them to have it submitted to a grand jury, and now we are trying in New York the men responsible for the high prices. It is true the Committee on Finance has reported the bill imposing a duty of 5 cents per hundred pounds on this article.

Mr. POMERENE. Mr. President—

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Ohio?

Mr. CALDER. I yield.

Mr. POMERENE. Do I understand that while the good people of New York are trying to put in jail the men to whom the Senator from that State refers, we are trying to reward them by imposing an increased tariff duty on cement?

Mr. CALDER. No; Mr. President, but through the activities of a Republican administration here in Washington and through the officials of the Department of Justice in New York, we are trying to destroy the Cement Trust.

However, Mr. President, the Committee on Finance propose a rate in this bill of 5 cents per hundred pounds on cement. The Senator from Ohio knows that a duty of 5 cents a hundred pounds on cement will not affect its price in the slightest degree. There are some manufacturers along the Canadian border, notably in Michigan and Wisconsin—not in my own State, for my State has not asked for this duty, nor have I advocated it—

where there are large cement industries on this side of the border and others on the Canadian side. These American companies, I am informed, are out of the combination who have asked for this duty of 5 cents per hundred pounds in order to even up the cost of manufacture between this country and Canada. That is the whole story. Any man who has studied the question, anyone who knows anything about the problem of the manufacture and transportation of cement, knows that the proposed duty will not affect the price in the slightest degree in the building of homes.

Mr. WALSH of Massachusetts. Mr. President—

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Massachusetts?

Mr. CALDER. I do.

Mr. WALSH of Massachusetts. I ask the question of the Senator from New York, because he is a contractor and is very much interested in the housing problem. I understood the statement which was put into the Record this morning, which was filed by Mr. Untermyer, counsel for the Lockwood committee, to be to the effect that, in his opinion, building materials are now selling for 50 per cent in advance of the cost of production, allowing a reasonable profit to the manufacturers of such building materials. Is it the opinion of the Senator from New York that that is a truthful statement as to the situation in New York?

Mr. CALDER. I do not know what the costs of manufacturing building material are to-day, but I should not be surprised if in New York common brick are selling for double what they cost to produce. I am not so well informed as to other building material.

Mr. WALSH of Massachusetts. The statement of Mr. Untermyer was that building materials are selling for 50 per cent in advance of the cost of production, allowing a reasonable profit to the producer. Does the Senator from New York agree with that statement?

Mr. CALDER. I said a moment ago that I agree to it in the matter of brick. I doubt very much, however, if the statement is accurate in regard to cement. I think that the cement manufacturers who are selling that product in our market are obtaining a pretty good profit, but I doubt if they are getting 50 per cent profit, I will say to the Senator from Massachusetts.

Mr. McCUMBER. Mr. President, it never occurred to me that because this combination on cement was formed by some of the producers of Portland cement during the time of the Democratic free trade tariff that the Democratic Party or their policy were at all responsible for that combination. Though it was brought about during the time that cement was coming in free, I want to acquit them of any complicity whatever in attempting to bring about the combination.

Neither do I think the Democrats are justified in assuming, because we are asking for a rate of 5 cents per hundred pounds in order to protect a class of producers of cement along the Canadian border, none of whom have entered into any combination whatsoever, so far as the testimony shows, and who for the most part are selling directly to the consumer, that we are endeavoring to further the interests of a combination.

The evidence is undisputed that this little tariff rate of 5 cents per hundred pounds on cement will only affect the producers of cement who are along the Canadian border, mostly in Michigan and west of that State, and who are in direct competition with the Canadian producers. The testimony received by us was to the effect that it costs somewhat more in the United States to produce cement than it costs in Canada. Then, too, the producers of American cement are cut off from the Canadian trade by reason of a tariff of 11 cents per hundred pounds which is imposed on that article by the Canadian Government, while the people of Canada are exporting their product into the United States free of duty.

The proposed duty will not affect the cement combination one way or the other. It will, however, affect a little strip of territory lying mostly west of the Alleghenies which is in direct competition with the Canadian producers of cement.

Mr. UNDERWOOD. Mr. President, the defense of this bill is remarkable to me. I thank the Senator from North Dakota for acquitting the Democratic Party of an attempt to aid the Cement Trust in any way, but it is very apparent that when the Democratic Party took the tariff off cement they did not intend to be guilty of going into partnership with the trust, and so they acquitted themselves when they accomplished that act. However, the combination and understanding to put up the price of cement did not originate after cement was placed on the free list; it existed before that time. Perhaps it was not so hard and fast a combination as it is to-day, but I pointed

out awhile ago the operation of the combination at least 15 years ago, if not more—at any rate, long before the present tariff law was placed on the statute books.

The Senator from New York justified this proposed tax because of the rising and falling of the prices. Of course, we all know that at times when there is great building activity, when there is demand for cement to build roads all over the country, and there is a greater demand generally for the product, the combination can put up its prices; but in duller times, when there is not so much cement needed, when there is not so much construction going on in the country, the price comes down closer to the point of the cost of production. The very figures the Senator from New York has read in reference to the difference in the cost of production at various times show what an enormous profit the cement industry working in combination can reap from the American people.

I have said that I realize that the conditions of this trade were governed by freight rates, and that is true; but there is a border line. The Senator from North Dakota in his eloquent remarks said the duty is only 5 cents a hundred pounds, but 5 cents a hundred pounds is \$1.10 a ton.

The cement manufacturers do not expect to make their profits out of the tax; they only want to exclude from foreign competition that territory in which the foreign cement may enter by paying the freight rates, thus giving the people of that section of the country the benefit of lower prices. Of course cement is a commodity which is carried at a comparatively low freight rate. I do not recall the railroad transportation rates, but probably \$1.10 a ton will cover the freight rate for from 150 to 200 miles from the border into the interior. I am not familiar with the freight rates, as I have said, but I know \$1.10 would carry it to a certain extent into the interior and perhaps 150 or 200 miles. That is probably as far as the competition could go. The chairman of the committee so admitted a moment ago when he said, "There can be no competition except along the border, and we are simply establishing a freight rate, not in order to build up an industry, not to protect labor, but to prevent competition on the border." The border, however, is not only on the Canadian line; the border is also at New York. I have heard of instances as far south as the Carolinas where the cement combination attempted to force high prices for cement, but, by reason of the fact that the local communities could bring in a few shiploads of cement, they forced down the price to a more reasonable figure.

Mr. SIMMONS. Mr. President, I wish to say to the Senator that I am advised that in my State, where we are doing an immense amount of road building, the State having voted \$50,000,000 for that purpose and many of the counties on the coast having voted from \$1,000,000 to \$2,000,000, the price of cement charged by the American producer was so unreasonable that they sought to overcome that by purchasing abroad; that they did make a purchase abroad, and in one contract saved a half a million dollars. If we impose this tax on cement, of course, such relief against the exorbitant prices of the Cement Trust will be gone.

Mr. UNDERWOOD. Certainly. The Senator from North Carolina has pointed out one instance where the people of his State in building roads saved a half million dollars because they could bring cement across the border. The same situation applies to New York, where the people are crying out against the throttle hold of the trust, and yet the Senator from New York defends the proposal of the committee and says that he wants to wait until the Supreme Court of the United States decides whether the members of the combination are guilty and shall go to the penitentiary, but in the meantime he wants to lock the door against any foreign competition and let the cement manufacturers continue to exploit the people of New York. The people of the Senator's State have found them guilty, and he has acknowledged that the verdict is a righteous one.

Mr. President, this is simply an instance of the way this bill is written, and it is admitted on the floor here. There is no evidence tending to show that the duty is needed because the product of a foreign country is produced cheaper than the commodity is produced on American soil. There is nothing said here showing that the tax is to be laid in order to protect American labor; there is nothing here to show that if it were not imposed the industry would fail. No; not at all; but we are told that some of the manufacturers of this product, for their own selfish interest, come before the Finance Committee and ask for a tax that will exclude foreign competition, and it is granted to them without question. That is how this bill has been written. The door was open to those who wanted to exploit the American people. They are invited before the committee and asked what prices they desire to levy on the neces-

sities of the American people, and they are granted without question.

Mr. HITCHCOCK. Mr. President, let us see, first of all, what it is that the United States Tariff Commission report on the subject of cement; and having this report of the commission before us, I am unable to see how any committee could consider for a moment the levying of any tariff.

The United States Tariff Commission has this to say:

Domestic plants produce almost 50 per cent of the world production of hydraulic cement. The United States was the pioneer in the development of concrete construction, and as a result domestic consumption of the material per capita is the highest in the world.

Mr. President, you have not here the case of an infant industry. You have here just about such a case as when we discussed wood alcohol. Of all the production of hydraulic cement in the world, the United States produces one-half; and yet, in the face of that fact, we are asked here to erect a Chinese wall around the country to prevent any importation whatever of cement from abroad.

If this were a statement made in a partisan spirit, made in the heat of an argument, it might be discredited somewhat; but here is the calm, unbiased, nonpartisan declaration of the Tariff Commission that of all the hydraulic cement produced in the world the United States produces one-half. That statement was written when cement was on the free list.

Now, let me read another paragraph from the report of the Tariff Commission:

The United States is independent of other countries for its cement supply. Domestic manufacturers have the advantage of cheaper fuel, and by the use of large-scale mechanical units and labor-saving devices they have gone far toward eliminating the European advantage due to lower-priced labor.

Yet we are asked to take cement off the free list and subject it to a tariff of something like 20 or possibly 25 per cent.

Mr. SMOOT. Oh, no.

Mr. HITCHCOCK. Will the Senator say what per cent it is?

Mr. SMOOT. If it were \$3 a barrel, that would be 200 pounds, and 1 per cent would be 2 cents. That would be 2½ per cent.

Mr. CALDER. If the Senator will permit me, I believe a barrel weighs about 380 pounds, and with a duty of 5 cents a hundred pounds this would mean about 9½ per cent.

Mr. SMOOT. Yes; but, I say, even if it were 5 cents for 380 pounds, it is not 1 per cent. The Senator talks about its being 25 per cent.

Mr. HITCHCOCK. Then I will withdraw that statement. The committee has brought in so many 25 and 30 per cent tariff schedules here that I perhaps made an overhasty computation and figured that that was it; but it does not matter what per cent it is. It is on the free list now.

Mr. SMOOT. If the Senator had made that statement, I would have agreed with him, and I would not have interrupted him.

Mr. HITCHCOCK. I am glad the Senator has corrected me.

Mr. SMOOT. I thought the Senator would be.

Mr. HITCHCOCK. It is a crime to take an article off the free list and subject it to any tariff whatever which must inevitably raise the price to the American consumer when America has shown, by her own experience in the course of many years, that she can make cement in competition with the whole world, and for many years we have actually made one-half of all the cement produced by all the nations of the world.

Mr. President, some attention has been drawn here to the uses to which cement is put. Heretofore the Senator from North Dakota or the Senator from Utah, when we have mentioned one of these tariffs, has risen in his place and has called attention to the small quantity of the article consumed, and he has assured us that on account of the small quantity of the article consumed we need not be disturbed over the tariff imposed, because it would not necessarily affect very many people. But what have we in the matter of cement? We are in an age in which cement is used more than it ever has been used before in the construction of our public buildings, in the construction of our bridges, in the construction of our great office buildings, in the construction of our hotels, in the construction even of private homes, and, above all, in the construction of the good roads of the country that the National Government and the State governments have gone into partnership in building. We are appropriating something like \$100,000,000 a year to aid the States of the United States in constructing good roads, and a very large proportion of this expense will necessarily be incurred by the purchase of cement, and yet we are deliberately going to work here, by a tariff on cement, to shut out all possi-

bility of competition, for the obvious purpose of raising the price of cement to the American consumer.

The Senator from New York [Mr. CALDER] has been active in expressing the great need for promoting the housing industry of the United States, and yet he comes forward here as the supporter of a plan to increase the cost of every building in the United States. He stands now advocating something which will tend to make rents higher everywhere in the United States.

Mr. CALDER. Mr. President, the Senator knows that that is not so. The Senator knows that a rate of 19 cents a barrel on cement, which is 9½ per cent, will not affect the price of cement in the crowded centers of the country at all. He knows, as the Senator from Alabama pointed out, that while it might affect the price of cement 150 miles from the border, it will not affect it beyond that, just as the Senator knows that free trade on cement had nothing whatever to do with fixing the price at \$4.65 a barrel during 1920.

Mr. HITCHCOCK. The Senator flatters me. I do not know as much as the Senator asserts I do; but I do know that within 150 miles of the border of the Atlantic Ocean a great many people live, and in the Senator's own State there are millions of people living in houses complaining of exorbitant rents; there are thousands of office renters in New York City complaining of the outrageous rents they are compelled to pay; and the Senator knows that in the city of New York at the present time the cost of building is so exorbitant that even the loan companies hesitate to make loans upon the buildings, feeling that the cost is outrageous.

Mr. CALDER. And if the Senator will permit me, the Senator from New York also knows that the exorbitant price of cement to-day is at a time when cement is on the free list.

Mr. HITCHCOCK. I am going to deal with that suggestion made by the Senator. I credit the Senator with ignorance as to the reason, for I do not believe that he intended to misrepresent the matter to the Senate. I credit the Senator with ignorance as to the real reason why cement has been high. He has forgotten, apparently, that we have had a war, and that that war put a stop to our imports, and that the fact of cement being on the free list during that time produced comparatively little competition from abroad.

Mr. CALDER. Did it stop the imports from Canada?

Mr. HITCHCOCK. I will read the Senator the figures on imports. I have said that I have credited him with ignorance, because I could not believe that he knew the figures and deliberately stood up here to argue to the Senate that because cement was on the free list we were nevertheless having competition from abroad to regulate prices.

Now let us look at what the figures are.

The importation of cement in 1910 was \$587,000 worth.

The importation in 1911 was \$315,000 worth.

The importation in 1912 was \$168,000 worth.

The importation in 1913 was \$124,000 worth.

In 1914 the value of the imported cement was \$163,000.

The importation in 1915 was \$132,000 worth.

Then, the war being in full blast, the value of the imports fell to \$9,000 worth in 1916.

It fell to \$2,000 worth in 1917.

It fell to \$6,000 worth in the fiscal year 1918.

It fell to \$1,100 worth in the calendar year 1918.

The Senator can see that there were practically no importations of cement during that period to regulate the price, and whether cement was on the free list or subject to a duty did not cut much figure.

Mr. CALDER. The amount of cement used in the country fell off then because there were no building operations of any importance during the war.

Mr. HITCHCOCK. The Senator is mistaken again. There were a great many military operations that required a great deal of cement.

Mr. CALDER. But not to be compared to what they were in 1919 or 1920.

Mr. HITCHCOCK. I tell the Senator that there were a great many building operations. There were a number right here, promoted by the Government, in Washington. The Government actually put money into the construction of cement buildings, and encouraged manufacturing institutions to enlarge their plants with cement construction during the war.

Mr. ROBINSON. Mr. President, will the Senator yield?

Mr. HITCHCOCK. I yield.

Mr. ROBINSON. So great was the demand for cement during the war that many road programs throughout the South had to be abandoned because the producers of cement could not supply the material necessary in the construction of the roads.

If the Senator will yield to me for just a moment further, there was some discussion a while ago about the ad valorem equivalent of this 5 cents a hundred pounds on Portland and Roman cement. The Senator from Nebraska made the statement that it was approximately 25 per cent, and the Senator from Utah retorted sarcastically and indignantly that it was less than 2½ per cent. Of course the ad valorem equivalent depends upon the price of Portland cement. If you take the price of Portland cement in 1914, before we entered the war, your figures were not very far wrong; it would be approximately 20 per cent. If you take the price of Portland cement at its peak, in 1920, when it was \$5 a barrel instead of 90 cents a barrel, it would be 4 per cent; but the ad valorem equivalent of necessity depends upon the price of the commodity, and varies as the price fluctuates. But in 1914, I repeat, before the United States entered the war, the price of Portland cement was 90 cents a barrel, and the ad valorem equivalent of 5 cents per hundredweight at that price would be 20 per cent.

Mr. HITCHCOCK. I am not through with the Senator from New York yet. He rose here and undertook to convey to the Senate the impression that the price of cement had been advanced while cement was on the free list, and therefore he made the implied argument that being on the free list increased the price of cement. He argued here that the Cement Trust was formed during that period, while cement was on the free list; and when I showed him the figures demonstrating that during that period imports were practically negligible on account of the war, he advanced another fallacy. What was it? Why, he advanced the fallacy that we were not using much cement during that period. Now, I want to convince the Senator what we were doing during that period. I have the figures here, and I am astonished that as a builder he was not aware of the fact.

I will take the war period. I ask the Senator from New York to listen to this. In 1914 the production of cement in the United States was 88,000,000 barrels. Not using much cement? We produced in this country 88,000,000 barrels. During 1915 we produced 85,000,000 barrels. During 1916 we produced 91,000,000 barrels.

Mr. CALDER. Mr. President—

Mr. HITCHCOCK. Not now. During 1917 we produced 92,000,000 barrels. During 1918 we produced 71,000,000 barrels. During 1919 we produced 88,000,000 barrels. Yet the Senator says we were not using much cement during that period.

The Senator has been convicted of being absolutely wrong, both as to the import matter and as to the consumption matter.

Mr. CALDER. Mr. President, the Senator stops at 1919, when he pointed out that we imported \$51,000 worth of cement. He did not go to 1920, when the figures would have shown that we imported \$1,230,000 worth of cement.

Mr. HITCHCOCK. I only stopped because the Tariff Commission report did not show any later figures, I will say to the Senator. If there are any later figures, I shall be very glad to hear them.

Mr. CALDER. I do not charge the Senator's party with being responsible for the high price of cement—

Mr. HITCHCOCK. That was the clear implication from what the Senator said.

Mr. CALDER. Because there was free trade in cement, but I do charge that during the time the Senator's party was in control of the country the trusts, which reached great proportions, such as the Cement Trust reached, were the strongest and most powerful and made the greatest profit and violated the law the most. Nor do I charge that they were responsible for that altogether, because I recall that during the year 1920, when the high prices obtained to which the Senator from Arkansas referred—and this is fair in this discussion, for we are all desirous of getting information—because of a regulation adopted by the Interstate Commerce Commission, the cars usually required for the hauling of cement were taken from the cement manufacturers and were given to the hauling of coal. The Senator will recall that we had a coal strike at that time.

Mr. HITCHCOCK. The Senator can make his argument in his own time, but not in mine. I am here to make the argument, and I repeat it—and I would like to have the Senator take his own time to meet this charge—that he sought to give the impression to the Senate and to the country that although cement was on the free list, and, being upon the free list, came in here in destructive quantities, nevertheless, the price was rising and a trust was being formed; and when I called his attention to the fact that war practically put a stop to the importations during that period—and he had to admit the figures as I read them from the report—he said, "Oh, there was not much cement being used." Now, I have shown him that there was just as much cement being used in the United

States during that period as during any other, only it was not being used in the same way.

Mr. CALDER. But the fact remains that during the operation of the last Republican tariff law, when the duty on cement was 7 and 8 cents per hundred pounds, the price was low; in fact, one-half what it is to-day, when we are manufacturing it in large quantities and when it is coming in free of duty.

Mr. GOODING. Mr. President—

The PRESIDING OFFICER (Mr. Moses in the chair). Does the Senator from Nebraska yield to the Senator from Idaho?

Mr. HITCHCOCK. I yield.

Mr. GOODING. I want to say to the Senator that I think he must agree that the tariff question affects but a small portion of the cement which is used in this country. Owing to freight rates and the cheapness of cement, it can not reach from any given point to any great distance. I am quite sure that none of the intermountain country, nor any other territory, unless it is very close to the border of Canada, can be affected by this tariff. Canada has a rate of 11 cents against our 5 cents. So it seems to me it would be unfair to the cement plants which can reach the Canadian market not to give them some protection as against 11 cents in Canada. I think we must agree that a 5-cent duty on cement from Canada can not affect the whole supply of cement in this country. Will the Senator agree that it can affect it?

Mr. HITCHCOCK. The Senator gives his case away. The reason why Canada puts on a higher tariff than we do is because of the increased cost of fuel, which makes it more expensive to produce in Canada than in the United States.

Mr. GOODING. Not 6 cents more.

Mr. HITCHCOCK. The Tariff Commission state in their report that it costs more to manufacture in Canada than in the United States on account of the cost of fuel. The Senator is met, furthermore, by the stern fact that during all these years and at the present time the United States is producing one-half of all the cement in the world, and is exporting—

Mr. GOODING. That has nothing to do with it at all.

Mr. HITCHCOCK. And is exporting great quantities of cement to other countries.

Mr. GOODING. If the Senator will yield, I think that he will agree with me that the scale of labor is a little lower in Canada than it is in America; that labor is a little bit cheaper there; that the Canadians produce a little bit cheaper all along the line. I merely want to see this question discussed in a spirit of fairness and intelligence, and the fact accepted by men of intelligence; that is all.

Mr. HITCHCOCK. When a Republican comes to the point where he is willing openly to impose a tariff upon a trust-controlled article like cement, used in such enormous quantities for public and private purposes—to build highways, for which the people pay taxes; to build hospitals, which must be built largely of cement; to build public buildings, which must be built largely of cement—when a Republican can bring himself to the point where he is willing to vote a tariff for a trust which his own courts are prosecuting for violating the law by raising the prices to the American people, there is no hope for such a Republican.

Mr. McCUMBER. Mr. President, will the Senator yield to a Republican to ask unanimous consent that when we close our session for this calendar day we shall recess until to-morrow at 11 o'clock?

The PRESIDING OFFICER. Is there objection?

Mr. HARRIS. Mr. President, I ask the Senator from North Dakota if he is not willing to begin the sessions at 9 or 10 o'clock in the morning and stop at 6 or 7 at night? To-night we wasted about 40 minutes in getting a quorum, and we are wasting time coming here at night. We have had long speeches about subjects other than the tariff, and we had the same last night. I think we would do more work if we began earlier.

The Senator said this morning, as an excuse for not meeting earlier, that the committee has meetings in the morning. It seems to me it would be better for the committee to meet at night. There are only four or five Republican members of the committee to meet, and it would be better to do that than to inconvenience the Senate and keep us here at night.

I am willing to stay here all night, if necessary, but I am not willing to stay here and waste time, as we are doing to-night, and as we have been wasting time. We have had to wait several times to get a quorum, and I hope the Senator will let us meet earlier. I believe by pursuing that course he will get through with the bill much sooner than if we have night sessions. I wonder if he will not be willing to agree to that.

Mr. McCUMBER. I do not think so. But let us meet to-morrow at 11 o'clock, and then let us see if we can not close the

session at 6 to-morrow instead of having an evening session. I feel positive that we shall do a little work to-morrow, perhaps.

Mr. UNDERWOOD. Is it the Senator's proposal to meet at 11 tomorrow, or at 10?

Mr. McCUMBER. At 11 to-morrow.

Mr. UNDERWOOD. Of course, as I have said a number of times, the Senator from North Dakota is in charge of the bill, and there is no disposition on this side of the Chamber to interfere with his fixing the hours he wants the Senate to sit; but I believe that as much headway will be made if we sit during daylight hours, and eliminate midnight hours. Of course, however, that is entirely within the control of the Senator. We do not desire to throw any logs in his way in fixing the time of running the sessions.

Mr. McCUMBER. I really hoped it would result as the Senator has stated, but I have found that we really do not get down to business until late in the day. It is not until between 5 and 6 o'clock in the evening, generally, that we get really to voting upon any of the items. For that reason I felt that we had to do most of our voting after about 5 o'clock.

Mr. UNDERWOOD. The Senator said to-day that although it was stated that there was no filibuster on this bill, he was satisfied there was. Of course, the Senator is entitled to his own opinion, but he is mistaken about a filibuster. If we were really filibustering on this bill, we would still be on the first paragraph of the chemical schedule. This is the easiest bill to filibuster, if we wanted to filibuster it, that I have ever seen come into the Congress, because of the number of amendments. But this side of the Chamber is not trying to prevent the passage of the bill by dilatory tactics.

You control the majority, so you have a right to express your views to the country. We merely have the right to express our opposition, and with a bill of this magnitude, in which a great deal is involved, it is our right and privilege to present our viewpoint to the country, and we know we can not do it in a few days of debate. Undoubtedly there is going to be considerable debate on the bill, as there always has been on a bill of this kind. The average time a tariff bill stays in the Senate is two or three months, and we are going to debate this one thoroughly. It is not a question of voting on the amendments. We can vote on a hundred amendments in half an hour when we get ready, but we are going to let the American people know what is in this bill first, and when that is done, then if you have a majority of votes to pass the bill, you can do so. But whether we meet at 11 and stay in session until 11 at night, or whether we meet at 11 and stay in session until 6, I do not think it will make much difference as to the ultimate date when the bill is voted on.

Mr. HITCHCOCK. Before agreeing to unanimous consent, I would like to ask the Senator whether he intends to press this particular amendment to a vote to-night?

Mr. McCUMBER. I do not want to hold the Senate any longer than 10 o'clock.

Mr. HITCHCOCK. I will say to the Senator that I would like to have the amendment go over until to-morrow. I was caught by surprise in having it come up this evening, and there are some matters I want to look into.

Mr. SMOOT. This matter has been passed on once already, but I gave notice that if the Senator from Nebraska wanted a reconsideration of the vote by which the amendment was agreed to, I would ask unanimous consent for a reconsideration of the vote, giving the Senator an opportunity either to speak or to offer an amendment.

Mr. UNDERWOOD. The proposition pending before the Senate has not been voted on. The Senator from North Carolina proposed an amendment and that was voted on. The issue now before the Senate is the committee amendment, and that has not been voted on.

Mr. SMOOT. I think the committee amendment has been agreed to.

Mr. UNDERWOOD. No; I took the floor when the committee amendment was proposed, and it has not been voted on.

Mr. SMOOT. That may be.

Mr. ROBINSON. A vote was had on the provision we have been discussing, placing a duty of 5 cents per hundredweight on Portland and Roman cement; but of course the Senator can move to reconsider it.

Mr. UNDERWOOD. I think the Senator is mistaken, because when the Chair announced the vote on the amendment offered by the Senator from North Carolina I took the floor, and I do not think there has been any vote taken since. I ask the Chair to inform us as to the parliamentary situation.

The PRESIDING OFFICER. The parliamentary situation is that there is an amendment pending, proposed by the committee, in paragraph 203, on page 32, line 17.

Mr. UNDERWOOD. That is the second amendment?

The PRESIDING OFFICER. It is the second amendment.

Mr. McCUMBER. In either event, I do not think it has much to do with the request that when we close our session to-day we shall meet at 11 o'clock to-morrow.

Mr. UNDERWOOD. There is no objection to that.

Mr. HITCHCOCK. I have no objection to it, if there is no intention of forcing a vote on this amendment to-night.

The PRESIDING OFFICER. The Senator from North Dakota asks unanimous consent that at the close of the session to-night the Senate shall take a recess until 11 o'clock to-morrow. Is there objection? The Chair hears none, and it is so ordered.

Mr. HITCHCOCK. I will say to the Senator that I am going to make a strong plea to the members of the Finance Committee to pass over this paragraph at least until we find out definitely whether this product is controlled by a trust. It may not be necessary to wait until the court reaches a decision in New York, but I can not conceive that self-respecting Republicans want deliberately to impose a tariff for the benefit of a criminal outlaw.

Mr. SMOOT. For the information of the Senator, I want to say that there is no amendment offered here as to Roman cement, and, of course, under the agreement we can not offer an amendment as to that until the committee amendments are disposed of. The only amendment there relates to special cement, cement not otherwise provided for; not hydraulic cement, not Roman cement, but cement that is carrying a trademark, put up in little packages and little bottles, used for pipe cement, having nothing to do with buildings whatever.

Mr. HITCHCOCK. Mr. President, I have heard before that these are very little things, and that we are making a great deal of fuss about some small matter. The country is entitled to know whether this enormous product, which has such varied uses of a public and private character, involving taxation, involving the housing problem, involving the rent question, is to be given a high protective tariff by this Congress and taken from the free list, particularly when the cement industry is practically controlled in the United States, when the United States makes one-half of all the product in the world, and when it is alleged in court that those who control a large part of the industry are engaged in a criminal conspiracy to rob the public.

Mr. SMOOT. What the Senator should do, as I expect he will, and I shall have no objection if he does, is to offer an amendment to put Roman cement and hydraulic cement upon the free list. However, there is no amendment in the bill touching that item at this time.

Mr. HITCHCOCK. I propose to go further than that. I want cement on the free list.

Mr. SMOOT. Then, of course, the Senate will have to disagree to the amendment of the committee.

Mr. HITCHCOCK. That is going to be the issue before the American people, whether the Congress of the United States is going to deliberately put on the tax schedule and take from the free list an article which is dominated by a trust.

Mr. SMOOT. The Senator is proposing to take something from the free list that has a patent name and for which they charge exactly what they please under the patent, and then say that it has an influence upon the erection of buildings and upon the construction of roads.

There are two items in the paragraph. One is controlled by patent or trademark in every instance. There is no reason why, under that condition, we should not get whatever revenue we can for such goods of that character as may come into the country in competition with the product. But there is no question as to hydraulic cement and, in part, on that item I agree with the Senator. But do not let us try to disguise the question that is before the Senate at this time. We have been discussing things to-day that are not before the Senate at all.

Mr. HITCHCOCK. That is nothing new.

Mr. SMOOT. I am perfectly well aware of that.

Mr. HITCHCOCK. But we are going to get it before the people. It is going to be before the Senate, and we have a right to get it before the people.

Mr. SMOOT. I have in my desk a list of the daily speeches that have been made and the length of time that has been taken by the different Senators on subjects which have nothing to do with the tariff. If that were put in the record it would surprise every Senator, I believe, but I do not think it would be a very good record to be pointed to in the future. If there were any one thing that would convince me that there is a filibuster on it would be that record.

EXECUTIVE SESSION.

Mr. CURTIS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After eight minutes spent in executive session the doors were reopened.

WAPATO IRRIGATION PROJECT, WASHINGTON.

Mr. JONES of Washington. Mr. President, I ask unanimous consent for the present consideration of the bill (H. R. 9951) to amend section 22 of an act approved February 14, 1920, entitled "An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes," for the fiscal year ending June 30, 1921.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, and it was read, as follows:

Be it enacted, etc., That the eighth paragraph of section 22 of "An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes," for the fiscal year ending June 30, 1921, pertaining to the collection of charges from landowners on the Wapato project of the Yakima Indian Reservation, Wash. (41 Stat. L., 431), following the words "And provided further," be amended to read as follows:

"That the Secretary of the Interior is hereby authorized and directed to collect on or before December 31 of each calendar year hereafter, including 1922, from landowners other than Indians under the said system the sum of \$2.50 per acre for each acre of land to which water for irrigation purposes can be delivered from the said system, which sum shall be credited on a per acre basis in favor of the land in behalf of which it shall have been paid and be deducted from the total per acre charge assessable against said land when the amount of such total charge can be determined, and the total amount so collected, including any money collected from Indian allottees, shall be available for expenditure under the direction of the Secretary of the Interior for continuing the construction work on the said system.

"That nothing herein shall be construed to modify or release any charge that may have accrued prior to the year 1922 and as to any unpaid amounts due for the years 1920 and 1921, the Secretary of the Interior, in his discretion, is hereby authorized to grant an extension of time within which such payments may be made for such time and upon such terms, including interest charges, as he may determine and under such rules and regulations as he may prescribe: *Provided*, That no extension for the payment of any amount so due for the years 1920 and 1921 shall in any event be extended beyond January 1, 1925."

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ADDRESS BY SENATOR FRANK B. WILLIS.

Mr. McCORMICK. Mr. President, I request that there be printed in the RECORD in the regular type an address delivered by Senator WILLIS on the one hundredth anniversary of the birth of General Grant.

There being no objection, the address was ordered to be printed in the RECORD in eight-point type, as follows:

ADDRESS BY HON. FRANK B. WILLIS AT BETHEL, OHIO, 2 P. M., APRIL 28, 1922, UPON THE CELEBRATION OF THE ONE HUNDREDTH ANNIVERSARY OF THE BIRTH OF GEN. U. S. GRANT.

Senator WILLIS spoke as follows:

"It is a singular and interesting coincidence that Bethel was the home of the man who did more in his day to preserve the foundation of the Union than was done by any other man of his generation, and at the same time the home of the man who by his effort was to make possible the erection on that foundation of an enduring structure—an indissoluble union of indestructible States.

"Here the lives of Thomas Morris, the advocate and expounder, and Ulysses S. Grant, the soldier and builder, were inextricably interwoven, and here to-day a grateful people in solemn pride pay tribute to the memory of two of their former citizens. Yet these mighty men, the gift of Bethel and Clermont County to the Nation, are too great in character and achievement to be circumscribed in the narrow compass of village, county, or State. Thomas Morris and Ulysses S. Grant belong to the whole Nation, whose freedom they had such a prominent part in preserving.

"In yonder cemetery is a humble shaft bearing the inscription:

"Thomas Morris. Born January 3, 1776; died December 7, 1844. Aged 69 years. Unawed by power, and uninfluenced by flattery, he was throughout life the fearless advocate of human liberty.

"This inscription is an epitome of the life of Thomas Morris. His 20 years of service in the General Assembly of Ohio furnished constant exemplification of his unfailing, courageous devotion to free schools, free speech, free soil, and free men. His elevation to the United States Senate in 1833 gave larger scope and fuller play to his powers. Unawed by threats he battled on for the preservation of free government at a time when other great leaders were endeavoring to blow out the moral lights around them in a nation-wide effort to make slavery follow the flag.

"The great triumvirate—Clay, Webster, and Calhoun—were a unit in demanding that the constitutional right of petition should be overthrown to the end that the shackles of slavery should be forever riveted on the Republic. Calhoun and Clay,

Wright and Preston, Buchanan and Leigh, all leaders of the Senate, united in thunderous demand that not only the limbs of slaves but the minds and consciences of men should be shackled and tied and chained. Slavery was to be preserved and extended at any cost; its opponents, feeble in numbers and influence, were denied the right of even having their petitions heard by Congress.

"In this dark hour one voice rang out in the Senate clear as a silver bell. It summoned the discouraged friends of freedom to battle and sounded uncompromising challenge to any and all who for mere political advantage would enter into a 'covenant with death and an agreement with hell.' The speech of Senator Thomas Morris, of Ohio, delivered in the Senate on February 9, 1839, has never been excelled in that body in point of courage, logic, or far-reaching effect. It awakened a lethargic Nation from the stupor of slavery; it saved the foundation on which Grant and his soldiers fought and won.

"Ulysses Grant and Thomas Morris were brought together in another relationship even more intimate and interesting. Senator Morris was a great lawyer. There came to his law office an awkward country lad seeking an opportunity to study law. Judge Morris took this man into his office and his home. This confidence was not misplaced. The lad became lawyer, Congressman, general—the Hon. Thomas Hamer, long a resident of Bethel, who gave up his life in the Nation's service at Monterey in 1846.

"While Thomas Hamer was a Member of Congress, the father of Ulysses Grant applied to him for an appointment for his son as a cadet at West Point and through the good offices of Senator Morris this application was granted and General Hamer appointed Grant to West Point. A few days later the term of office of Thomas Morris as United States Senator expired and he went home, politically an outcast, repudiated by his own political associates because he had been the uncompromising foe of slavery. Yet he fought long enough to save the foundation of constitutional liberty and to provide the leader who was to build on that foundation.

"Grant began where Morris left off. The afterglow of greatness casts a strange light on life and character and tends to obscure perfectly human qualities and to ascribe to their possessor a meaning and significance as unwarranted as they are fantastic. Grant was a typical American boy, reared in a good Christian home; he knew how to work and did work on farm and in tannery, but it does not seem probable that he pleaded any harder with his father for opportunity to begin work early in the morning than most American boys would do under similar circumstances or that he had to be cautioned by his parents against overwork. The fact is that throughout his life Grant was inclined to be sluggish—he worked best under pressure—he was a ponderous machine that functioned in direct ratio to the size of the task to be done. The first 38 years of his life were not strikingly successful; his first 11 years in the Army would have been forgotten but for his later achievements. In 1860 he was a clerk in a tannery at Galena, Ill., at the munificent salary of \$600 a year; eight years later he was elected President. A crisis had come big enough to call out all his latent powers.

"From Donelson to Mount McGregor the life of U. S. Grant is history—he was part of the Nation's life, and for a considerable period a very dominant part.

"Shiloh, Vicksburg, Chattanooga, Richmond, Appomattox were the steps by which he mounted the heights of military fame to take place alongside of Hannibal and Napoleon as one of the greatest captains in history. He was a common-sense commander—he relied more upon action than he did upon Jomini; his theory of warfare he summarized as follows: 'The art of war is simple enough. Find out where your enemy is. Get at him as soon as you can. Strike at him as hard as you can, and keep moving on.'

"Grant maintained from the hour he came to the notice of President Lincoln the unbroken confidence of that great leader. Had it not been for the stoic firmness of the President in sustaining Grant in the Vicksburg campaign the outcome would have been doubtful. The President said of him, 'I can't spare this man; he fights.' Again he said, 'I rather like this man Grant; I think we will try him a little longer.' To Carpenter, Lincoln said, 'The great thing about Grant is his perfect coolness and persistency of purpose. He is not easily excited and he has the grit of the bulldog; once let him get his teeth in, and nothing can shake him off.'

"The great captain was always confident of himself; though modest and quiet, he did not underestimate his own powers. When one of his generals in alarm reported, 'General Lee is on our flank,' General Grant coolly replied: 'Very well, then we are on General Lee's flank.' In the darkest days of

1864 Grant said, 'I feel as certain of capturing Richmond as I do of dying.'

"His terse expressions as a leader are illustrative of his character. His reply to General Buckner at Fort Donelson was: 'An immediate and unconditional surrender; I propose to move immediately on your works.' Again, after a great disaster in the advance on Richmond, 'I propose to fight it out on this line if it takes all summer.' But while he was oak and rock in battle, he was generous as a woman and tender as a child. After General Buckner surrendered at Fort Donelson, General Grant remembered the friendly help given him by Buckner when he had been left penniless in New York. In General Buckner's own words describing the surrender he says:

"General Grant left the officers of his own army and followed me with that modest manner peculiar to himself into the shadows and there tendered me his purse. In the modesty of his nature he was afraid the light would witness this act of generosity and sought to hide it from the world.

"The credit for the final success of the great campaigns in the East for the capture of Richmond must be adjudged by impartial history to belong to General Grant. That Mr. Lincoln sought to interfere as little as possible with the military affairs after General Grant took charge of the Army will be shown by the following letter:

"WASHINGTON, April 30, 1864.

"Lieutenant General GRANT. Not expecting to see you before the spring campaign opens, I wish to express in this way my entire satisfaction with what you have done up to this time, so far as I understand it. The particulars of your plan I neither know nor seek to know. You are vigilant and self-reliant, and (I put no) restraints or constraints upon you. While I am very anxious that any great disaster or capture of any of our men in great numbers shall be avoided, I know that these points are less likely to escape your attention than they would be mine. If there be anything wanting which is within my power to give, do not fail to let me know it. And now with a brave Army and a just cause, may God sustain you.

"Yours very truly,

"A. LINCOLN.

"And then when the last shot had been fired and the last drop of blood shed, the great leader was magnanimous, kind, and generous. His treatment of General Lee and his army at Appomattox did more than any other one thing to make the South realize that, after all, we were all citizens of the common country, with a common hope and a single flag. Happily, now North and South are united, each proud of the heroism of the other and rejoicing in the achievements of the heroes in blue and gray—all Americans.

"Lincoln's prophecy has been realized—

"Though passion may have strained, it must not break our bonds of affection; the mystic cords of memory stretching from every battle field and patriot grave to every living heart and hearthstone all over this broad land will yet again swell the chorus of the Union when touched, as surely they will be, by the better angels of our nature.

"The conquering hero said, 'Let us have peace.' The memory of this patient, silent, courageous, typical American is one of the mightiest forces making for union and the maintenance of our institutions.

"General Grant never sought political preferment. He was elevated to the Presidency in response to the people's demands. As President he was as courageous as he had been as general. When, following the financial difficulties of 1873, his own party lost its sense of proportion and passed the inflation bill to authorize an increase in the greenbacks to four hundred million, he bravely vetoed the action of the Congress, believing it to be a departure from the true principles of sound finance.

"Grant stood by his friends even to his own hurt. Some of them sought to use their connection with the old hero for their own personal profit. General Grant was loath to believe that any human being could entertain a motive so foreign to his own thought. When criticized because he stood by a friend who was under fire, Grant said:

"The true test of friendship, after all, isn't to stand by a man when he is in the right—anyone can do that; the true test is to stand by him when he is in the wrong.

"As he stood by his friends, so he remembered his enemies in a thoroughly human way, and sometimes he castigated them mercilessly. It will be recalled that when it was brought to his attention that a certain prominent leader did not believe in the Bible, Grant said:

"Certainly not; he does not believe in it because he did not write it himself.

"The San Domingo scheme was criticized bitterly at the time it was announced. Yet subsequent events have shown that Grant was not far from right in this matter.

"While educated for war, he was devoted to peace; the treaty of Washington and the settlement of the Alabama claims was the first long step forward in the direction of arbitration and world peace.

"The Washington conference of 1921 was in no small degree an outgrowth of Grant's policy of peace and international good

will. American ships now sail unimpeded through the Panama Canal—Grant foresaw and planned it. His statesmanship was as farsighted as his generalship. Modestly, quietly, patiently he planned and executed. Great in war and official station, he was majestic in private life.

"Imposed upon by trusted friends, the meager savings of a lifetime were lost in an hour and the old hero had to begin over again to earn support for wife and family. Already fatal disease had laid its palsying hand upon him. Tolling at Mount McGregor to finish his memoirs he looked death in the face without a tremor. He stoically worked on that he might pay his creditors and provide for those dependent upon him. He won his last fight and when the spirit fled a sorrowing world cherished the memory of this mighty oak whose falling left a lonesome place against the sky.

"So lived and toiled and struggled and achieved this sturdy, upright, patient, modest, typical American, whose life is an inspiration and whose memory is a benediction to us all."

RECESS.

Mr. CURTIS. I move that the Senate take a recess, the recess being under the order previously made, until to-morrow at 11 o'clock a. m.

The motion was agreed to, and (at 10 o'clock and 10 minutes p. m.) the Senate took a recess until to-morrow, Saturday, May 20, 1922, at 11 o'clock a. m.

CONFIRMATIONS.

Executive nominations confirmed by the Senate May 19 (legislative day of April 20), 1922.

POSTMASTERS.

CALIFORNIA.

George A. Herdeg, Riverside.
Jessica H. Wright, Sierra Madre.

COLORADO.

Grace M. Fawcett, Smuggler.

CONNECTICUT.

Edward A. Honan, Gaylordsville.

LOUISIANA.

Joseph H. Hebert, Addis.
Levi P. Carter, Bunkie.

NEW JERSEY.

Ralph G. Riggins, Bridgeton.

OKLAHOMA.

Agnes L. Dillon, Geary.
James M. Baggett, Tuskahoma.
William C. Colvin, Westville.

PENNSYLVANIA.

Nellie Smith, Abington.
Isaac H. Detweiler, Perkasio.
John E. Showalter, Terre Hill.
Charles W. Schlosser, Waterford.

TEXAS.

George H. Sparenberg, Austin.
R. Kyle Cross, Cumby.
Richard T. Polk, Killeen.
Benjamin F. Womack, Snyder.

UTAH.

Clyde A. Pons, Standardville.

WEST VIRGINIA.

Harry M. Slush, Whitesville.

HOUSE OF REPRESENTATIVES.

FRIDAY, May 19, 1922.

The House met at 12 o'clock noon.

The Chaplain, Rev. James Spera Montgomery, D. D., offered the following prayer:

Our heavenly Father, in a changing world Thou art a God who changest not. May Thy anchorage be our stay. Encourage us in all our ways to acknowledge Thee. Help us to trust our Maker's love and our Savior's ransom. We breathe our confessions; with considerate pity forgive us. Do Thou always show us the acceptable excellence of life. Bless us with a growing appreciation of men, his rights and his relationship to our institutions. In Thy name. Amen.

The Journal of the proceedings of yesterday was read and approved.

DESIGNATION OF SPEAKER PRO TEMPORE.

The SPEAKER. I expect to be absent to-morrow, and possibly on Monday, and I therefore designate Mr. WALSH as Speaker pro tempore until my return.

BRIDGE ACROSS HUDSON RIVER NEAR PEEKSKILL, N. Y.

Mr. HUSTED. Mr. Speaker, I ask consideration for the bill H. R. 11152, granting consent to the Bear Mountain Hudson River Bridge Co. to construct and maintain a bridge across the Hudson River near the village of Peekskill, State of New York.

The SPEAKER. The Chair would like to state that in recognizing gentlemen for unanimous consent as to these matters the Chair has adopted the rule that that privilege was taken away from the Chair and given to the House, and he only recognizes gentlemen in case of bridge bills, which constitute a kind of perfunctory legislation. The Chair thinks the House is always glad to facilitate business of that kind, and with that in mind he recognizes the gentleman from New York [Mr. HUSTED].

Mr. GARNER. Mr. Speaker, the statement of the Chair is with the idea that anyone having a bridge bill to be considered may go to the Speaker at any time and get permission from him to ask unanimous consent to consider the bill. Now, it occurs to me that the rule the Speaker has adopted is a good one and must apply in cases of that kind only in case of emergency.

The SPEAKER. The Chair is glad that the gentleman made the suggestion. The Chair has adopted that very rule, and it is only in case of emergency, and where they are awaiting the passage of the bill, that the Chair recognizes gentlemen for that purpose. The gentleman from New York is recognized.

The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 11152) to authorize the Bear Mountain Hudson River Bridge Co. to construct and maintain a bridge across the Hudson River near the village of Peekskill, State of New York.

The SPEAKER. Is there objection?

Mr. STAFFORD. Before the objection stage is passed, I would like to inquire of the author of the bill as to the reason why in this bill the time for beginning construction is extended three years instead of the customary 1-year period, and the time for completion is extended five years instead of the customary 3-year period?

Mr. HUSTED. Section 2 of the bill provides that the act shall be null and void if actual construction of the bridge therein authorized be not commenced within three years. As a matter of fact, they intend to commence construction immediately.

Mr. STAFFORD. Under the general bridge act it provides construction shall be begun within one year and completed within three years, and there are many instances where, when construction has not been begun within one year, that we pass revival acts, granting them further time. When I read this bill and report it seemed to me rather peculiar that in the bill itself you should provide for the beginning of construction within three years. I thought perhaps it might be a speculative scheme, by which it was desired to float bonds before real construction began.

Mr. HUSTED. No. I can assure the gentleman that is not the case. It is the intention to begin construction at once, and the financing has been fully completed, contingent only upon the passage of the bill.

Mr. STAFFORD. There are some bridge bills that we scrutinize rather carefully in their passage through the House. Those built across the Mississippi River are in that class. As I recall, there is but one bridge across the Hudson River, that at Poughkeepsie. Are there more?

Mr. HUSTED. There is but one bridge across the Hudson River between New York and Albany, a distance of 150 miles, and that is a railroad bridge only. The bridge provided for in this bill is for automobiles and foot passengers, something which is very much needed.

Mr. STAFFORD. How far above New York is this proposed bridge to be constructed?

Mr. HUSTED. About 50 miles above the city of New York. It will cross the Hudson River just north of the village of Peekskill, and will connect the east with the west bank near the big pavilion in the Interstate Park, about 3 miles below West Point.

Mr. STAFFORD. Is it to be a toll bridge?

Mr. HUSTED. It is to be a toll bridge, but there are provisions in the act whereby the interests of the State have been carefully safeguarded. There is a provision that the State can

take it over at once for cost plus 10 per cent, and then at the end of short periods the State can take it over at practically cost less depreciation, and at the end of 30 years it becomes absolutely the property of the State free of cost. The estimate of the life of the bridge is approximately 100 years.

Mr. STAFFORD. And the State has already provided legislation in regard to this construction?

Mr. HUSTED. It has.

Mr. STAFFORD. I have no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 11152) to authorize the Bear Mountain Hudson River Bridge Co. to construct and maintain a bridge across the Hudson River near the village of Peekskill, State of New York.

Be it enacted, etc., That the consent of Congress is hereby granted to Bear Mountain Hudson River Bridge Co., a corporation incorporated by act of the Legislature of the State of New York approved March 31, 1922, its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Hudson River, at a point suitable to the interests of navigation, near the village of Peekskill, county of Westchester, State of New York, in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 22, 1906.

SEC. 2. That this act shall be null and void if actual construction of the bridge herein authorized be not commenced within three years and completed within seven years from the date of approval hereof.

SEC. 3. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Also the following committee amendment was read:

Page 2, line 3, strike out the figures "22" and insert in lieu thereof the figures "25."

The SPEAKER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. HUSTED, a motion to reconsider the vote by which the bill was passed was laid on the table.

CHANGE OF REFERENCE.

Mr. STEENERSON. Mr. Speaker, I move a change of reference be made on the bill (H. R. 6339) from the Committee on the Post Office and Post Roads to the Committee on Claims.

The SPEAKER. The Chair does not recognize the gentleman for that purpose. The Chair likes to be notified in advance before any such motion as that is made.

Mr. STEENERSON. A motion to change the reference of a bill? I supposed that was the order of business after the reading of the Journal right now.

The SPEAKER. The Chair thinks in courtesy the gentleman ought to notify the Chair and the members of the committee before making a motion.

Mr. STEENERSON. We do not want this bill in our committee, and I thought there would be no objection to it.

The SPEAKER. The Chair thinks the gentleman ought to notify the Chair in such a case.

Mr. STEENERSON. I certainly would have done so if I had been aware of any such rule.

The SPEAKER. There is no such rule, of course.

Mr. STEENERSON. It was requested to be done by the gentleman from Texas [Mr. HARDY].

Mr. GARNER. Mr. Speaker, will the gentleman yield for a question? I would like to know if he comes within the rule. He has not made a statement. If he is within the rule authorizing him to make his motion, well and good; but unless he comes within the rule, I shall object.

The SPEAKER. There is no right of debate.

Mr. STEENERSON. I have no statement to make except that the gentleman from Texas wished this to be done.

The SPEAKER. This is a private bill, and the gentleman can make a change of reference without any motion of the House.

Mr. GARNER. It is a private bill.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 2853. An act for the relief of persons suffering damage by reason of proceedings for the condemnation of land for Camp Benning, Ga.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate numbered 53, 54, 56, 58, 59, and 113 to the bill (H. R. 10329) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1923, and for other purposes.

The message also announced that the Senate had agreed to the amendments of the Senate numbered 44, 47, and 61 to the bill (H. R. 11065) making appropriations for the Departments of State and Justice and for the judiciary for the fiscal year ending June 30, 1923, and for other purposes.

The message also announced that the Vice President had appointed Mr. CAPPER and Mr. ROBINSON members of the Joint Select Committee on the part of the Senate, as provided for in the act of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of useless papers in the Government Printing Office.

SENATE BILL REFERRED.

Under clause 2, Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 2853. An act for the relief of persons suffering damage by reason of proceedings for the condemnation of land for Camp Benning, Ga.; to the Committee on Claims.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RICKETTS, from the Committee on Enrolled Bills, reported that on May 17 they had presented to the President of the United States for his approval the following bill:

H. R. 4069. An act authorizing the Secretary of the Interior to sell certain lands on the Wind River Reservation, Wyo.

RIVER AND HARBOR AUTHORIZATIONS.

Mr. DEMPSEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 10766.

The motion was agreed to.

The SPEAKER. The gentleman from Wisconsin [Mr. STAFFORD] will please take the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 10766) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, with Mr. STAFFORD in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 10766, the river and harbor appropriation bill. The gentleman from New York [Mr. DEMPSEY] has 22 minutes remaining.

Mr. WALSH. Mr. Chairman, the Clerk ought to report the title of the bill, should he not?

The CHAIRMAN. It is not necessary, although it has been the practice.

Mr. WALSH. I think it is necessary.

The CHAIRMAN. Where is the rule that requires it? I ask the gentleman from Massachusetts to cite the rule.

Mr. WALSH. The rule provides that measures shall be considered in the Committee of the Whole House on the state of the Union by their title—not by their number.

The CHAIRMAN. The gentleman from New York is recognized for 22 minutes.

Mr. GARNER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GARNER. I understand last evening that general debate was exhausted and that we should read the bill under the five-minute rule.

The CHAIRMAN. There were 22 minutes remaining.

Mr. GARNER. Then that was an erroneous statement by the gentleman from Massachusetts [Mr. WALSH] that I read in the RECORD this morning, that that was one reason why a point of order was made that there was no quorum present, because there was nothing else pending before the committee.

Mr. WALSH. Mr. Chairman, will the gentleman from New York yield for a parliamentary inquiry?

Mr. DEMPSEY. Yes.

Mr. WALSH. I did not quite get the remark of the gentleman from Texas. The RECORD discloses that "the gentleman from Massachusetts" said, "There seems to be nothing further to do." I had endeavored to get some time in which to ask the gentleman from Louisiana [Mr. DUPRÉ] a question, and I was advised that all of his time had expired.

Mr. GARNER. Well, when the gentleman from Massachusetts made the remark that there was nothing more to do I understood that the general debate had been exhausted and that we were ready to take up the bill under the five-minute rule.

Mr. WALSH. Not at all.

Mr. DEMPSEY. Mr. Chairman, the bill under consideration is an attempt to take a step forward in the solution of the problem—

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. DEMPSEY. Yes.

Mr. WALSH. What is the bill under consideration?

Mr. DEMPSEY. The purpose of the bill is for the adoption of projects for the improvement of rivers and harbors.

Mr. WALSH. That is the first time at this session that that has been said about it. I am glad to have it in the Record. [Laughter.]

Mr. DEMPSEY. It is a bill seeking to take a forward step in the solution of the very serious traffic problem which confronts the United States. It is needless to say that in ordinary times, in normal times, the railroads of the country, aided by the waterways in their present state and condition, are unable to handle the traffic which the country has. This is peculiarly true following the harvest, and the question is whether we can contribute to the solution of the very difficult problem of providing adequate transportation facilities by improving our waterways.

A few days ago, when we had under consideration in the House the question of making appropriations for the improvement of rivers and harbors, a gentleman who has long been eminent in connection with the improvement of waterways stated that in his opinion it was hopeless to improve the inland waterways of the United States as a whole; that there were exceptions; but, taking it all in all, the condition was rather a hopeless one. Now the question is whether an examination of the record—

Mr. ANDREWS of Nebraska. Mr. Chairman, will the gentleman yield for a question there?

Mr. DEMPSEY. Yes.

Mr. ANDREWS of Nebraska. What relation does this bill sustain to the appropriation that was carried a short time ago in the Army appropriation bill in relation to rivers and harbors?

Mr. DEMPSEY. It has this relation: That bill appropriates money to improve rivers and harbors. Whether it will apply to these new projects or not depends on whether this bill becomes a law in advance of the appropriation bill, in which event those appropriations would apply to these new projects as well as to the old projects; or there might be inserted in the appropriation bill a provision making those appropriations applicable not only to the projects already adopted but also to those to be adopted, in which event the appropriations already made would apply to the projects in this bill.

Mr. ANDREWS of Nebraska. The other bill carried the appropriation, and now you are proposing to pass legislation to tell what shall be done with that money?

Mr. DEMPSEY. No. That bill in its terms applies only to projects already adopted by Congress.

Mr. ANDREWS of Nebraska. This bill carries money for additional projects?

Mr. DEMPSEY. No. This bill provides authorizations of new projects entirely.

Mr. ANDREWS of Nebraska. Then, it is the idea that the appropriation goes first and the legislative proposition comes afterwards?

Mr. DEMPSEY. Yes.

Mr. ROACH. Mr. Chairman, will the gentleman yield?

Mr. DEMPSEY. I would prefer to make a continuous statement first, and then I shall be glad to answer questions, if I have time.

Mr. ROACH. I want to ask a question on this point.

Mr. DEMPSEY. My time is limited.

Mr. ROACH. Will the gentleman yield?

Mr. DEMPSEY. Yes; I am yielding. What is the question?

Mr. ROACH. That appropriation bill only provided for old projects. If we pass this bill, will there be a lessening of expenditure on the old projects, or will the money all go into the new projects?

Mr. DEMPSEY. No. The appropriation was of a lump sum, without specifying the places of expenditure. If that is made available for new projects, it will be in the discretion of the engineers as between the old and new projects.

Mr. ROACH. The appropriation was a lump sum and it was based on the minimum requirements?

Mr. DEMPSEY. I agree with the gentleman as to that.

Mr. ROACH. How can you spend money out of that appropriation for new projects without lessening the appropriation for the old projects?

Mr. DEMPSEY. You can not.

Mr. LONDON. Mr. Chairman, will the gentleman permit a question?

Mr. DEMPSEY. I am sorry I can not. I decline to yield further.

Now, as to the question of whether we can relieve the transportation situation by the improvement of the inland waterways of the country, it is well to examine the condition and see what the inland waterways are doing at the present time.

There have been large developments in the matter of the carrying of shipments by inland waterways within a very brief time. Take, for instance, the Sabine-Neches waterway, in which the country is as vitally interested as in any other waterway in the whole United States. A wonderful oil field has been developed in the State of Texas, one of the greatest oil fields in the world, and that inland waterway, about 76 miles long, is now carrying about 11,000,000 tons of traffic, and that upon a depth of 25 feet. We are now giving them a depth of 30 feet. They need that for the class of tank vessels which carry the oil, and undoubtedly that waterway will be used to capacity, and the amount of freight carried upon it will vastly increase. Now, 11,000,000 tons is a very large amount of traffic for any waterway to carry, and this I say is comparatively new traffic.

Take another illustration. Take the Monongahela River. That runs down to Pittsburgh. It carries at the present time 24,000,000 tons of traffic. By this bill we are giving the Monongahela River additional facilities. The traffic is now so dense that boats have to wait for long periods in order to pass through the locks, and the amount of traffic is so very great that navigation is dangerous. We are simply increasing the facilities so that the traffic, which is growing there by leaps and bounds, can be carried and can be carried safely.

Take as another illustration the Columbia River and Willamette River in Oregon. That waterway carries 4,000,000 tons of traffic, and the traffic there is steadily increasing. Take as a small example the Clatskanie River in Oregon. We have spent on that river only \$24,000.

Mr. MONDELL. While the gentleman is discussing these specific projects, may I call his attention to a project for which a survey is to be ordered? May I make an inquiry with regard to it?

Mr. DEMPSEY. Certainly.

Mr. MONDELL. The Rio Grande River a short distance above El Paso has upon it the Elephant Butte irrigation dam. The entire flow of the river is controlled and carried through the canals of the national irrigation project, which is fed from the Elephant Butte Dam. The Rio Grande below that point, if it carries any water at all at any time, carries what water is not needed for irrigation. If there has ever been any attempt at navigation at that point, even before this reclamation project was started, I do not know of it. It is 1,200 miles, I think, above the mouth of the river. The Rio Grande at that point is dry except when the water is not needed for irrigation. I notice that you are proposing a survey of the Rio Grande at El Paso. Is that for irrigation purposes or for navigation?

Mr. DEMPSEY. Irrigation and reclamation projects are not within the province of our committee.

Mr. MONDELL. What is the idea?

Mr. DEMPSEY. We are not attempting to usurp the province of another committee.

Mr. MONDELL. What is the idea of the committee making a survey of a river that is dedicated to irrigation?

Mr. DEMPSEY. As to the survey to which the gentleman refers, the reason it is granted is very obvious. It is this: We appropriate annually about a quarter of a million dollars for surveys. That is the amount which has been appropriated for many years. Now gentlemen come in and ask for a survey. It is almost a matter of course to grant them a survey, and why? The engineers testify before our committee that the inclusion of a particular survey does not add materially, if at all, to the expense, that they have most of the data right there in their office, that they are able to prepare it as a matter of clerical work and not as a matter of work in the field, and that the appropriation will not be exceeded, nor will it deprive any genuine survey—if this one happens not to be—of the funds which are needed for the purpose of making it.

Mr. MONDELL. Then do I understand the gentleman to say that if I should come in before his committee and ask for a survey of the North Platte River in Wyoming, which carries much more water than the Rio Grande carries at El Paso, I would be able to secure in this bill an appropriation for a survey? It might help me locally.

Mr. DEMPSEY. The gentleman might procure a survey, and the result of it would be that instead of helping him locally I think he would find that the report would be adverse, and the people in his district would say that his energies might well

have been spent upon something other than the securing of a survey where he knew the result would be adverse.

Mr. MONDELL. If the gentleman would say that to the gentleman who asked for this Rio Grande survey, it would be more to the point.

This is not a question of rivers and harbors. The gentleman from New York has assured us that there was nothing in this bill except rivers and harbors.

Mr. DEMPSEY. Now, this project bill attempts to deal with the problems of the country and to help really to solve many of the transportation problems. For instance, we propose the improvement of Coos Bay in Oregon. What does that mean? The Coos Bay district in the State of Oregon contains billions of feet of lumber. A great part of that lumber belongs to the United States, and the United States is interested in having it marketed. The instant that we improve Coos Bay in Oregon we will bring that lumber to the eastern market.

That will result in two things: First, the lumber in the Coos Bay district will increase in value at least \$1 a thousand, and that will add to the Government resources ten or fifteen times the cost of this project. That is important to the Government as a government, but it is still more important to the people of the United States as a people, because the lumber of the South which has been supplying us in the North for many years is being exhausted. The peak of production in the South was reached some years ago. The time is coming, and coming in the near future, when the South, with its splendid climate, with its rich agricultural land, and rapid development, is sure to need all the lumber that is growing in its own territory. The result will be that if the people of the East, in the thickly populated part of the country, are to have lumber at any moderate price they must secure it from the Pacific slope, and the only way it can be brought East at a moderate price is by water.

Now, let us come down to San Francisco. We find that San Francisco has one 40-foot entrance to its bay. San Francisco is the greatest port on the Pacific slope. It is a great center for the commerce between the United States, China, and Japan, and all the great east with its teeming millions. San Francisco has a 40-foot channel but it is along the coast. It is 6 or 7 miles longer than a straight channel into the bay. It is dangerous to navigation because it is near the rockbound coast, and in great storms vessels are apt to be cast on that coast. So it is of vast importance that a new channel should be dredged.

I started to say a word about the importance of deep waterways in Texas. There is nothing more important in the public mind than the enormous increase in the use of gasoline in the United States and the constantly mounting price. We hope that we can reduce the price if we reduce the cost of transportation to market. The only way we can reduce that cost is by deepening the channel and enabling the vessels of deeper draft, which are more economical to operate, to bring it to market. That is what we expect to do by the improvement of the Texas waterways.

Another thing we do in this bill is this: Certain projects have been completed, and yet the appropriations do not lapse at the end of the year, and so it becomes necessary, in order to release them, even after the project has been entirely finished, to have a clause releasing them and turning it into the general fund. That we do by this bill.

For the first time in the history of the country, or for many years, the Mississippi River is doing a large and constantly increasing business. When the project for the upper Mississippi was adopted we made no provision for the improvement by the Government of harbors along the river, and so you can navigate the river; but when you reach a city, when you reach the point where you are to receive or discharge a shipment, you have no harbor which you can enter or from which you can depart. The bill provides that the project for the improvement of the upper Mississippi shall include the harbors of that part of the river.

One of the worst problems, and the most serious problem with which we had to contend during the war in supplying the troops with munitions and food, and in supplying our allies with both these things, was the congestion in the port of New York.

People in the country seem to assume that that condition is going to continue; that the port of New York will be unable to avoid it; and that in the future we will have the same difficulty in handling the traffic that prevailed during the war. The fact is that the port of Greater New York has been formed, which includes not only the city of New York but adjacent territory, and that port of Greater New York will expend \$500,000,000 as a local contribution to solve traffic conditions in the city

of New York and make it so that we can not have a condition where freight cars are piled up outside the city for 50 miles, as they were during the war. In other words, they are going to provide abundant facilities for the handling of this traffic—docks and terminals sufficient in number and adequate in size—and facilities for sending traffic destined beyond the city around it, instead of through the congested centers. And this bill provides the channels to be used in connection with the docks and warehouses, so that the improvements may be complete and result, as they will, in the economical and rapid handling of all the freight which comes to that great city.

Mr. BEGG. Will the gentleman yield?

Mr. DEMPSEY. Yes.

Mr. BEGG. Does this contemplate adding this authorization to the \$40,000,000 appropriation, or is this to come out of that?

Mr. DEMPSEY. I will show the gentleman. River and harbor improvements are made in the United States only on projects that have been adopted. Up to the present time certain projects have been adopted—say 100, and I suppose there are 200. They are in various states of completion. Take, for instance, the gentleman's Ohio River; that project was adopted 12 years ago to be completed in 10 years. About half of the locks and dams are completed, about one-quarter are being built, and one-quarter are not started. That is the situation on that project already adopted. We find, as time goes on, in this great country of ours that we need to do new things, that we can not rely simply on the projects we have already adopted.

Mr. BEGG. I understand that part of it, but the point is—

Mr. DEMPSEY. We are adopting now some new projects. As to the appropriation of money, under the appropriation bill passed by the House, the \$42,815,000 which it carried would not apply to these projects now to be adopted. It could only apply in one of two events—in the event that this bill becomes a law before the appropriation bill becomes a law, or in the event that there be inserted in the appropriation bill two words, the words "and hereafter" after the word "heretofore." The appropriations now carried in that bill apply to projects heretofore adopted, and if there were added the words "and hereafter" after the word "heretofore," then the appropriation would apply also to this bill.

Mr. BEGG. Is it contemplated that after this bill is passed a new river and harbor appropriation bill, in addition to the \$42,000,000, will be adopted?

Mr. DEMPSEY. No. I would say in addition to that to make it clear that the amount which it will be necessary to expend to complete the projects covered by this bill will be about \$36,000,000, but that is not to be expended at once. It will be expended only from year to year, and the maximum amount which it is estimated might be expended the first year would be perhaps ten or eleven million.

Mr. BEGG. And that would come out of the \$42,000,000?

Mr. DEMPSEY. Yes; in either of the contingencies I have suggested.

Mr. DUPRE. Mr. Chairman, will the gentleman yield?

Mr. DEMPSEY. Yes.

Mr. DUPRE. In the case of the Monongahela River we were informed by the engineers that it would take about eight years to complete the enterprise, the whole cost of which will be some \$6,000,000, but it would be asked only pro tanto each year.

Mr. DEMPSEY. I thank the gentleman for his suggestion. My recollection is that the engineers said, in addition to that, that the amount to be expended would be, roughly, a half million dollars the first year. This bill provides also authority for the construction of six new dredges. There has been progress made in the construction of dredges for harbor work in the United States, the same as there has been in locomotives or any other mechanical contrivance, so that the dredge of to-day does much better work and so much more work that the present dredge saves about \$50,000 over the obsolete dredge which we have in operation in the United States. There can be no greater measure of economy, there can be nothing that will tend to make each dollar appropriated for rivers and harbors go further and secure a full dollar of return for each dollar expended than the authorization for these new dredges.

The CHAIRMAN. The time of the gentleman from New York has expired. All time has expired, and the Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the following works of improvement are hereby adopted and authorized, to be prosecuted under the direction of the Secretary of War and supervision of the Chief of Engineers, in accordance with the plans recommended in the reports hereinafter designated:

Pawtucket River, R. I., in accordance with the report submitted in House Document No. 654, Sixty-sixth Congress, second session.

Mamaroneck Harbor, N. Y., in accordance with the report submitted in House Document No. 651, Sixty-sixth Congress, second session, and subject to the conditions set forth in said document.

Harbor of New Rochelle and Echo Bay, N. Y., in accordance with the report submitted in House Document No. 110, Sixty-seventh Congress, first session, and subject to the conditions set forth in said document.

New York and New Jersey Channels, in accordance with the report submitted in House Document No. 653, Sixty-sixth Congress, second session.

Mr. BURTON. Mr. Chairman, a parliamentary inquiry. Would an amendment proposed to this paragraph lie when the section is read or would it lie now?

The CHAIRMAN. The present occupant of the chair is not advised whether that question has been presented since the appropriating powers have been taken away from the Committee on Rivers and Harbors. The rule has been that on general appropriation bills and on revenue bills the bill is considered by paragraphs, but the river and harbor bill, even when it carried appropriations and not merely authorizations, was not a general appropriation bill, and yet the bill was always considered by paragraphs. The Chair thinks it would be better practice to have the bill considered by paragraphs, and all question would be removed if the gentleman having the bill in charge would ask unanimous consent to have it so considered.

Mr. DEMPSEY. Mr. Chairman, I ask unanimous consent that the bill be considered by paragraphs instead of by sections.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. DEMPSEY. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. DEMPSEY rose.

Mr. LONDON. Mr. Chairman, will the gentleman yield?

Mr. DEMPSEY. Yes.

Mr. LONDON. I notice that in sections 1 and 2 of the bill, in making various provisions for projects it is provided that projects be made in accordance with the reports submitted to the House at various times.

Mr. DEMPSEY. Yes.

Mr. LONDON. Some of these reports have been submitted as late as 10 years ago. Is it customary in legislation to refer to some document that is not before the House?

Mr. DEMPSEY. Oh, the documents are before the House in the sense that they have been sent to the committee and they are available to everyone. The gentleman will find that instead of that being a report of 10 years ago, the probability is that the project has been completed, and that that is simply a modification of a project on which there is a recent report.

Mr. Chairman, I started to say a word about the question of whether we could really help the solution of the traffic problem by improving our inland waterways. It has been suggested that that has been possible in Europe, that in Europe they have made a great success of their waterways, but that in this country it is impossible. As an illustration of what we can do in the United States, let me point to the greatest inland transportation, not alone in the United States but in the world; the greatest in extent, the greatest in success, the greatest in the rate of transportation. There is no transportation in the world that has been as cheap or is as cheap to-day as the transportation on the Great Lakes, and that transportation has been made possible by American genius and American enterprise, by devising the kind of ships best fitted for that transportation, by inventing labor-saving devices to unload and load, so that they load and unload in a miraculously quick time, a time which puts to shame the loading and unloading elsewhere in the world.

We carry on the Great Lakes 100,000,000 tons. That varies up to one hundred and twenty and one hundred and thirty million tons. About 96 per cent of that consists of iron ore and coal which is carried back to the Northwest. All of that traffic is between our own people so that there is left only a minimum, a small portion of traffic which goes abroad. Let me make a comparison of the cost of transportation on the Great Lakes and transportation on the ocean. The cost per ton-mile for transportation on the ocean by foreign nations, where they have cheap labor, where they have been in the transportation business from time immemorial, transportation by England, which has been the mistress of the seas for hundreds of years, is 3 mills per ton-mile.

And it costs on the Great Lakes, just one-third of that, 1 mill per ton-mile. That shows what you can do on your inland waterways when American genius and American enterprise starts out to solve the problem. It is equally well shown in the result in Texas on this comparatively new waterway, the Sabine-Neches.

They have grown there to a traffic of over 11,000,000 tons, an enormous traffic when you consider it in comparison with waterways anywhere in the world, and that has grown up in a few years, because those who produce the oil have seen the necessity of transporting it in the cheapest way to the market.

Mr. BURTON. Will the gentleman yield for a question?

Mr. DEMPSEY. I will.

Mr. BURTON. Does not the gentleman from New York recognize the vital distinction between the waterways of the Great Lakes, 20 feet deep and more, and the so-called inland waterways, rivers having a depth of from 2 to 12 feet?

Mr. DEMPSEY. I recognize the distinction and I recognize there is a wide distinction; I realize, for instance, in a city you improve your road from curb to curb, and I realize where traffic is not so great in the country you will have it sometimes from 12 to 16 feet. You can not have 20 feet of depth everywhere, it is true, but what I do say is the waterways of the country, a large number of them, aside from the Great Lakes, and I will call attention to a considerable number now, can be used to relieve congestion in transportation and to secure a lower rate of transportation and thus reduce the cost of living. The Monongahela the gentleman recognizes as a useful waterway with its 24,000,000 tons of freight; and the Sabine-Neches, with the 11,000,000 tons it carries.

Mr. BURTON. But the Sabine-Neches is not an inland waterway.

Mr. DEMPSEY. Why not, it is an artificial waterway,

and—

Mr. BURTON. It provides access to the sea by ocean-going boats.

Mr. DEMPSEY. No; they are tankers, that is all.

Mr. BURTON. They sail on the ocean and go all over the world, and the object of improving the Willamette and the Columbia is to give access to the port farthest inland, Portland. That is very different from the Monongahela.

Mr. DEMPSEY. Let us put the issue squarely. What I am contending here is this, that the improving of our inland waterways, according to our experience up to the present time, is of the greatest value to the Nation in relieving the congestion which occurs in normal times owing to the inability of the railroads, through lack of cars, trackage, and adequate terminals, and in securing cheaper rates, and that it is important to improve every inland waterway which is capable of carrying a tonnage large enough to really help relieve congestion and to make the transportation economical. Does not the gentleman agree to that?

Mr. BURTON. I would not agree to that broad statement.

Mr. DEMPSEY. Let me call attention to a few illustrations besides those I have referred to. Let us take a very small stream which is only 8 feet. Here is the Calcasieu River, La. Now, we have spent \$655,000 upon it. It carried freight last year to the value of \$8,000,000—636,000 tons. Was that river worth improving? Let us take another. Here is the Tensas River, La. It is only 4 feet, but—

Mr. BURTON. Do not leave out the Bayou-Teche.

Mr. DEMPSEY. We abandon projects in this bill which were adopted years ago and upon which vast sums of money have been expended in preceding times. We abandon those projects which have no water, and only improve those with water. Let us take the Tensas, upon which we have spent only \$85,000. Last year it carried 102,000 tons of traffic, worth a million dollars in round figures. Let us take another. I spoke of the Clatskanie River, Oreg. We have spent less than \$25,000 on it, and it carried last year 100,000 tons of freight, worth nearly two million dollars.

Take the Ohio. It is only improved part of the way down. The Ohio and Mississippi together and their various tributaries constitute an inland waterway of over 6,000 miles, but they are not in use, all of them, because we have not completed the improvements, and yet, in spite of that, the Ohio carried last year about 9,000,000 tons of traffic. It should have carried 13,000,000 or 14,000,000 tons, but the reason probably that it lost last year is that there has been no traffic on the ocean as compared to the ordinary years and less traffic by rail during this time. So we say we believe it is worth while to develop the waterways of our country. We believe we can develop them; we believe there is no reason why, if we can do what we have been doing on the Great Lakes, what we have been doing on the Monongahela, we believe there is no reason why we can not do what we have done on the Sabine-Neches if we put the genius, the energy, and the resourcefulness of our people at work. We can use our waterways and develop them for all purposes. There is no reason why with the 68,000,000 primary horsepower in the United States we should be using only 6,000,000 horsepower. All of this vast unused energy should be developed and applied.

to useful purposes and to the saving of coal at the same time that we improve the navigation of our waterways.

There is no reason why in the end we can not cease using our streams as places for sewage, a practice which will make the history of this age and the history of our people up to this time incomprehensible to our descendants, and have pure water for all the people of the United States. The time must come, and it is coming soon, when we must use these waterways, if we are to send the farmer's product or the manufacturer's product to the markets. It is useless to plant our fields, it is useless to have our factories running, unless you can send the products of both to the places where they can be sold. [Applause.] And you can send them more cheaply by water than you can in any other way. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. BURTON. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to proceed for 10 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. BURTON. Mr. Chairman and gentlemen of the committee, I still adhere to two views expressed in the discussion of the Army appropriation bill; first, that specific appropriations should be made by Congress for the various river and harbor projects instead of leaving the apportionment to the War Department.

Mr. DEMPSEY. Permit me to say that I entirely coincide with the gentleman's views, as I think they are the result of observation and experience. I think he is entirely correct.

Mr. BURTON. Second, I do not share the optimistic expectations expressed here in regard to the improvement of inland waterways. There are numerous inland streams which can be profitably utilized. In some remarks here on March 27, page 4632, I sought to set forth the classes of inland waterways which might profitably be improved. What I have especially objected to is the expensive development by locks and dams and the removal of serious obstacles in rivers paralleled by railroads, where there are other methods for transportation available much cheaper and much more convenient. I do not think the gentleman from New York [Mr. DEMPSEY] has thoroughly realized the difference between the ordinary inland waterway and the Great Lakes, where there are bodies of water, like Lake Superior, Lake Huron, Lake Michigan, and Lake Erie, with a depth quite as useful for navigation as in the ocean itself. What is needed for their utilization is the improvement of the connecting waters, such as the River St. Clair, the River St. Marys, and the Detroit River. Then, again, the other class of improvements which he names, the Willamette and the Columbia, extending to the sea and furnishing a channel for ocean-going vessels. The Sabine-Neches is in the same class. The Delaware River is in the same category. The Patapsco River, furnishing an outlet from the port of Baltimore, is of the same type. Those are different from shallow-draft streams, where you must use small boats. And in this age I think that latter method is distanced by others more convenient and useful.

Yet I recognize the congestion that prevails on the railroads, and I do not offer any objection here to giving this method by the inland waterways a trial. What I would suggest as regards the more expensive improvements is to do this, improve the barge canal, that has been undertaken by the State of New York; improve the Ohio River; improve the Mississippi River. The latter is at a very high stage of utilization for navigation from Cairo down. Let us ascertain whether they are going to succeed or not. If those three waterways do not prove successful, in view of the very fertile territories through which they pass, no others will.

But, Mr. Chairman, I did not rise especially to speak on this subject. There are certain fundamental principles which we must adopt in utilizing the waters of the country. I look to a great era of development in the United States in the coming years. We are just at the beginning of the utilization of our resources, just at the beginning of providing the conveniences and luxuries of life. During the time in which I was chairman of the Rivers and Harbors Committee there was a disposition for economy which prevented our making appropriations adequate for the purposes which we desired. The keynote of this problem is this: First, we must recognize that water is an asset just as well as the land. Next, in the utilization of that water, cooperation must be used. I use that single word—I mean cooperation between different uses of water and cooperation between the Federal Government and municipalities, States, and private individuals, on the other hand. We were constantly hounded, when I was a member of that committee, for appro-

priations for mere bank protection where there was no navigation. We excluded those just as far as possible.

Now, what is the solution? We must take into account the different uses and treatment of water. First, navigation; second, water supply for cities, water supply for irrigation comes in. We must take into account the purification of water. Along with those we must also regard drainage and flood protection, and last of all, I would name—and in a way it is the most important—the utilization of water for power. Different agencies, the Federal Government and communities, must all join, the Government paying its share for navigation; private individuals for their share for bank protection; municipalities providing the funds necessary to secure purification of water and water supply, and presumably private enterprise putting in the capital for the development of water power.

There are a number of streams in this country that could not be utilized profitably for navigation alone, nor could they be used profitably for water power alone, but if you join the two together they can be improved and improved with profit.

Now, I think this bill contains projects which are for the most part entirely commendable. I desire to say just a few words on the proposition for the use of the New York and New Jersey Channel. In 1900, with a Government engineer, I went through the Arthur Kill and the Kill Van Kull, and was impressed with the possibilities of that waterway near New York, as a place to provide for smelters, for the refining and storage of oil, and for a great variety of uses.

The project was adopted by the Committee on Rivers and Harbors. Just see what the result has been. There have been, I think, 30,000,000 tons carried through that waterway in a single year, with a value of a billion dollars. That certainly is an improvement this country can afford to undertake. I do not say that there may not be some odds and ends, some incidental portions of it, that should be taken up by private enterprise.

And, to digress here, generally speaking, amounts expended upon the harbors of the country, the channels adjacent to great cities, have conferred in their improvement a greater benefit than money expended upon the rivers of the country. That does not mean that we should omit to utilize the rivers, particularly such rivers as the Mississippi and the Ohio, but so far as the return is concerned in increased trade and development of traffic and general profit to the whole country, what could surpass the benefits obtained from the improvement of such a harbor as that of New York and the channels in the neighborhood, also the channels to the harbors of Philadelphia and Baltimore, and the improvement of the Southwest Pass for access to New Orleans, and, perhaps, overtopping them all, the improvement of the Great Lakes and its harbors?

Gentlemen of the committee, I want to lay before you this idea: There is something for us to consider in the coordination of different uses of water. If we are to have as good a country as we ought to have, if we are to have the abounding wealth that we desire, we must take up this problem in a large way. We must impose the expense where it properly belongs. Where the improvement is for private benefit, let it be paid by private parties; where it is for the benefit of a community alone, let it be paid by that community. And it is the same with respect to a State. Where you can place the improvement on the ground of universal and general benefit, then the whole country should pay for it from the Federal Treasury. But the dividing line between them all should be carefully drawn. [Applause.]

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. DEMPSEY. Mr. Chairman, I ask unanimous consent that the gentleman from Ohio may have one additional minute. I wish to ask him a question.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The gentleman from Ohio is recognized for one minute more.

Mr. DEMPSEY. I may say that I am quite in sympathy with what the gentleman from Ohio has so well said, and I believe if he will stay here—and I know he will—during the consideration of this bill he will find that every item of it is within the principle that he has laid down in the light of the experience he has had.

Mr. BURTON. I am glad to hear that. I had understood that there were improvements proposed for creeks or harbors scarcely worthy of attention, but I did not find them. The old "chestnuts" that were thrown off when I was active in this work do not seem to be here. Most of this work is for the enlargement of projects already undertaken.

Mr. DEMPSEY. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DEMPSEY: On page 2, between line 9 and line 10, insert the following paragraph:

"Newark Bay and Hackensack and Passaic Rivers, N. J., in accordance with the report submitted in House Document No. 206, Sixty-seventh Congress, second session, and subject to the conditions set forth in said document."

Mr. DEMPSEY. Mr. Chairman, I would say in reference to this amendment that it applies to a part of the Greater New York development, and it is part of the improvement of that port which is of importance to the whole country. It aims to make Newark Bay available for the commerce which comes in on all the trunk-line railroads there, and to make it available there so that it can be transhipped from Newark Bay instead, where it is unnecessary to do it, of sending it over to Greater New York. It is also intended to give Newark Bay all the commerce that would naturally come through it as a great center, as it is, for manufacturing and commerce and all the things that go to make for commercial prosperity.

Mr. WARD of North Carolina rose.

Mr. LEHLBACH. Mr. Chairman, will the gentleman yield for a question?

Mr. DEMPSEY. Yes.

Mr. LEHLBACH. Is it not a fact that it was intended to incorporate this item in the bill proper, and the reason for its not being offered then as an amendment is the fact of its being referred to the district engineers for report?

Mr. DEMPSEY. Yes. All the gentleman said is true. The district engineer had not fully realized the necessity of this project, but in the opinion of the Chief of Engineers it was of such vital importance that he deemed a special report necessary, and it was sent back for a new report, so that it might be made a part of this bill. It is as important a project as there is in the bill.

Mr. WARD of North Carolina. The question I wanted to ask was substantially submitted by the gentleman from New Jersey [Mr. LEHLBACH].

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. APPLEBY. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from New Jersey moves to strike out the last word.

Mr. APPLEBY. Mr. Chairman and gentlemen, I want to say a very few words in favor of this particular section on page 2, line 7, calling for New York and New Jersey channels in accordance with the report submitted in House Document No. 653, Sixty-sixth Congress, second session.

We should all be interested in better waterways located within the United States where the public is going to be benefited. This particular project which I wish to speak for will provide for the deepening of the channel from Sandy Hook to Perth Amboy, and from Perth Amboy through the Arthur Kill and Kill Van Kull into upper New York Bay. As the gentleman from Ohio [Mr. BURTON] has said, there is probably a greater development of industrial plants along these waterways than in any other part of the United States. Many large manufacturing plants of various kinds have located there in the last few years. These channels at the present time are not of sufficient depth to carry the deep-draft ships which would like to enter. This project was recommended in 1881, and in 1905 by the War Department, which improvement calls for a 30-foot channel for incoming steamers from the Atlantic Ocean opposite Sandy Hook via Arthur Kill to upper New York Bay. It seems to me there is no more greatly needed item in this bill than this particular one. The possibilities for the further development of industry and increased number of plants are immeasurable. At the present time the oil coming into the Standard Oil establishment at Bayonne has to be reloaded into the ocean-going ships from the boats of lighter draft in order to reach the refining and storage plants. Anyone familiar with the volume of the business done by these oil companies, and the coal companies as well, together with the great number of plants located along the Arthur Kill, must know that this project is a necessity, and will save thousands of dollars annually through lowering the cost of transportation. In fact, it is the most important item in the entire bill, as a great project calling for such a harbor improvement as this must of necessity be. The country in general will be well satisfied if the House approves this project which I have so hastily mentioned. [Applause.]

Mr. HILL. Mr. Chairman, I rise in opposition to the pro forma amendment.

The CHAIRMAN. The gentleman from Maryland asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. HILL. Mr. Chairman and gentlemen, in reference to this bill, H. R. 10766, which is a bill "authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," it is my understanding that for the work on the Baltimore Harbor no reference is necessary in this bill. I should like to ask, however, a statement from the chairman of the committee on this subject.

It is my understanding that under existing legislation there is authorized a 35-foot channel for the port of Baltimore, and that in the War Department appropriation bill, out of the \$42,000,000 authorized by this Congress and appropriated for rivers and harbors, \$350,000 was provided in the discretion of the engineers for the project in Baltimore. It is my understanding, therefore, that it is not necessary for Baltimore Harbor to be referred to in this bill; but, as I say, I should like to have that understanding confirmed by the chairman of the committee.

Mr. DEMPSEY. Baltimore Harbor has already adopted in its interest the project for 35 feet of water, and that project is under way and in process of completion. That is one of the very great harbors of the country. It is one of the harbors which is a demonstration of the fact that you can be located off the ocean and yet have a wonderful business. Everyone on the committee realizes the importance of Baltimore, and we believe that with the increased appropriation which was passed in the Army appropriation bill Baltimore will get all that it needs for the present year, all that can be profitably and economically expended in the improvement of the harbor.

Mr. HILL. I thank the chairman of the committee, and I wish to ask one more question: It is my understanding that the Representatives of the State of Maryland in this House should be entirely content with the situation as to the appropriation for Baltimore Harbor, and that there is nothing further to be done in reference to that situation at the present time?

Mr. DEMPSEY. There is nothing to be done except to be sure that you are present if there is any danger when the military appropriation bill comes back from the Senate. However, I understand that the Senate committee have adopted, I think unanimously, the appropriation as it was passed by the House, so I do not anticipate any difficulty in conference. But we should be prepared to meet it if it turns out that I am wrong. I think my information is correct.

Mr. HILL. It is my further understanding that the House has dealt generously with the Baltimore Harbor in this matter.

Mr. DEMPSEY. It is a lump-sum appropriation, but the disposition of the engineers is to regard Baltimore as being of very great importance in relation to the other harbors of the United States, and my understanding is that the Chief of Engineers believes that he will be able to allot to Baltimore Harbor all that can profitably and economically be expended there during the coming season.

Mr. HILL. I will say to the chairman of the committee that Baltimore City has recently authorized a bond issue of \$50,000,000 and is making enormous improvements, and that therefore it is particularly gratifying to the people of Baltimore that this appropriation has been made.

Mr. GARNER. Will the gentleman yield?

Mr. HILL. I yield to the gentleman from Texas.

Mr. GARNER. I want to congratulate the gentleman from Baltimore upon getting a certificate of character to exhibit to his constituents from the chairman of the committee. I understand this project is all right, and that the record will give the gentleman from Baltimore full credit for everything being satisfactory, and that Baltimore will get out of the \$43,000,000 all that can possibly be spent in Baltimore Harbor.

Mr. DEMPSEY. Why should not the gentleman have the credit to which he is entitled? He has done his part.

Mr. GARNER. I do not want it to go under the guise of his having to assist the Baltimore project. I merely want it to show that it is for the purpose of assisting the gentleman in his reelection.

Mr. DEMPSEY. He should be assisted when he has done good work, as he did in this instance, and we all want to assist him where he has done good work.

Mr. GARNER. I quite agree with the gentleman.

Mr. HILL. I want to thank the gentleman from Texas—I have not had the chance before—to thank him for the help he gave me by inference a little while ago on my bill for 2.75 per cent light wines and beer. [Laughter.]

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

Wilmington Harbor, Del., in accordance with the report submitted in House Document No. 114, Sixty-seventh Congress, first session, and subject to the conditions set forth in said document.

Mr. LAYTON. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Delaware asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. LAYTON. Mr. Chairman, it is not necessary for me to speak at any length upon this item for the harbor of Wilmington, Del. Yesterday I put a rather long dissertation in the RECORD upon this subject, including this paragraph itself. I will only repeat what I said yesterday that the committee, in including projects, were careful to include projects where the localities were showing a disposition largely to help themselves. The city of Wilmington is the one great city in my State, a city of 125,000 inhabitants and with probably as varied an industrialism as there is in any city in the United States, with a tremendous output, and valuable output, and as you all know with a tremendous wealth, which goes to swell largely the Federal Treasury. They have bonded themselves for \$3,000,000 in order to develop a port. Up to this time the city of Wilmington has depended upon a little river called the Christiana. It is probably not more than 80 or 100 yards across. Wilmington has reached the point where she must have an outlet upon the Delaware River. The consequence is that she has asked that this paragraph be favorably considered by the House, in order to improve the mouth of that river, where she proposes to spend at least \$3,000,000 for docks, terminals, warehouses, and so forth. Running into that development are three of the great railroads of this country—the Baltimore & Ohio, the Pennsylvania, and the Reading. I believe, and I think the House will believe, if they give it mature consideration—I know the engineers of the Government take this view of it—that even now there is a congestion upon the Delaware River that demands this improvement. I do not believe there is any place in the United States where there is a greater industrialism and a greater congestion of population, with a certainty of still greater future development in industrialism, in agriculture, and in horticulture, and of increasing population than there is from New Castle, Del., up beyond Philadelphia for many miles, at least as far as Bristol.

Mr. BURTON. I quite agree with the gentleman from Delaware that along the Delaware River is a place for great industrial growth. Has there been improvement along on the front of the Delaware River to accommodate the traffic of Wilmington as yet?

Mr. LAYTON. I do not exactly understand the gentleman's question.

Mr. BURTON. You are right near to the Delaware River and most of your traffic has been in the Christiana River.

Mr. LAYTON. Yes.

Mr. BURTON. I used to tell the people coming from there that you would ultimately have to improve the facilities on the main Delaware River. Have they begun to do so?

Mr. LAYTON. Oh, yes; undoubtedly; and there is already a \$5,000,000 factory to be established, conditioned upon the making of this improvement.

Mr. BURTON. In olden times the sewage of Wilmington used to be discharged into the Christiana River, and the Government had to do the work of getting it out. Has that been attended to?

Mr. LAYTON. Does the gentleman mean the discharge from the factories—the sewage, and so forth?

Mr. BURTON. Yes.

Mr. LAYTON. The gentleman has asked me a question that I can not answer. I do not know.

Mr. BURTON. That was one objection that lay to this appropriation some 10 or 12 years ago.

Mr. LAYTON. Mr. Chairman, almost from Wilmington to the northern limits of Philadelphia there is one compact municipality as far as factories, dwelling houses, and warehouses and things of that kind are concerned. There is hardly a vacant space, so to speak. It is all connected up with trolley lines and cement roads, and the time will soon come when there will be no vacant space on the Delaware River within the limits I have specified. There is a great territory behind the port of Wilmington, and therefore in making this projected improvement it is going to relieve Philadelphia; it is going to relieve Chester also, and as soon as the Chesapeake Canal is constructed it will bring into cooperation the great port of Baltimore, bringing it into relation with the Delaware River and all its industrialism, which is almost inestimable. [Applause.]

The Clerk read as follows:

Lockles Creek, Va., in accordance with the report submitted in House Document No. 612, Sixty-third Congress, second session, and subject to the conditions set forth in said document.

Mr. CLOUSE. Mr. Chairman, I move to strike out the last word, and I ask unanimous consent to extend and revise my remarks in the RECORD.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. CLOUSE. Mr. Chairman and gentlemen of the committee, it is not my purpose to discuss at length the various projects which your Committee on Rivers and Harbors have incorporated in the pending bill, nor shall I attempt to discuss any particular project with a view to showing the relative merits of one as compared with another. Were I called upon to discuss or express my individual opinion on the several projects, I could but say that there is not one single item in the bill which deserves any greater consideration than the other, but that each and every one is not only meritorious but an absolute necessity in the handling of the commerce of the Nation.

Your committee has labored long and diligently in the investigation of all matters pertaining to the improvement and development of rivers and harbors, and in those deliberations we have endeavored at all times to arrive at our conclusions solely and alone from facts produced showing or tending to show the imperative necessity of the project, not only from the viewpoint of handling the commerce but with the view also of benefiting the greatest number of people possible by way of reduced charges of transportation.

Perhaps at no time in the history of the world, and certainly at no time in the history of this Nation, have we been confronted with the serious problems that threaten to destroy our progress and prosperity as we are to-day. Chief among the obstacles confronting us is that of transporting the produce of the soil, the products of the factory, the natural and necessary resources of the Nation, at rates that are reasonable to the farmer, the merchant, the laborer, the manufacturer, and the citizen. I think that all will agree that present-day conditions of transportation are not only inadequate, but that they are exorbitant and intolerable. They can not be defended, much less can they be long endured.

The hour of the Nation's return to normalcy and prosperity may be well measured by the course which we pursue in encouraging and coordinating the transportation facilities of the country. The troublesome conditions into which we have been thrown may be attributable to many causes, but chief among them, in my judgment, is due to the fact that the people of this country, the Congress of the United States, the Nation, has failed to grasp the wonderful possibilities and benefits that are to come to all our people as a result of the development and improvement of our internal rivers so that they may be utilized for the handling of the commerce of the country.

The Government of the United States entered upon a program of building a merchant marine. The construction of this merchant craft was started during the period of war, and while millions of dollars was ruthlessly wasted in the execution of that program, yet out of an expenditure of approximately three and a half billion dollars we have, after discarding all worthless craft, a huge fleet left, which can be utilized only in the carrying of our surplus products across the high seas and to the markets of the world. In this way only can we ever expect to realize a single farthing on this stupendous investment. Only by the improvement of our rivers and harbors will we be able to freight the surplus corn and wheat and cattle and hogs and horses and mules and coal and timber and the thousand and one things that go to make up our commerce to the ports of embarkation at rates that are reasonable and profitable to the producer.

The inadequacy of the railroads of this country to handle the commerce of the Nation has been conclusively demonstrated, and when we consider the fact that the commerce of the United States doubles every 10 years, then we are irresistibly driven to the conclusion that in order to meet future conditions of an ever-increasing population we must turn our attention to the development and use of rivers as the one and only means of meeting the situation with which we are now, and in the future will be all the more seriously, confronted. By this means and in no other way can we hope to reduce the cost of transportation, which is a tremendous burden on the farmer and producer as well as on the consuming public.

In advocating the development of these natural arteries of commerce it is not my intention to advocate the abandonment of our railway systems. They have in the past rendered great service in the development of our country, and in all which

they deserve the appreciation and fair consideration of a grateful people. They have not only aided in the development of our country and its resources in the past but they will constitute an indispensable influence in the continued growth and progress of the Nation. The principle which I have in mind, the policy which this Government must inevitably adopt, is to improve and encourage all sorts of transportation in order to obtain the benefits of the almost inexhaustible resources of the country and furnish to our people the most seasonable and economical transportation that it is possible to devise.

There are some governmental policies relating to the operation of railroads, however, which I do not approve, and which, in my judgment, should not be tolerated for another day. The policy to which I refer is that of the Interstate Commerce Commission allowing railroads to establish rates on lines which parallel our rivers so as to meet the rates established by water transportation, and to permit them to establish an entirely different rate on the very same character of freight when it is being hauled into inland territory. To illustrate, the railroads haul to-day from New Orleans to St. Louis, a distance of 718 miles, 100 pounds of second-class freight for \$1.73, while they charge for hauling the same amount of the same kind of freight from New Orleans to Fort Smith, Ark., a distance of 494 miles, but where there is no water competition, \$1.84. The railroads to-day haul 100 pounds of freight from Portland, Me., to New Orleans, a distance of 1,685 miles, for the sum of \$2.51, while they charge from Kansas City to New Orleans, for the same kind and amount of freight, the sum of \$2.48, although the haul is 806 miles shorter. Why this inequality? Simply because in one case there is water competition, in the other there is not.

I believe that the rates should be made according to the character and distance hauled, and not predicated upon the fact of whether there is or is not water competition. I believe that the railroads should have a fair return on their investment, but I do not believe that they should be permitted to drive commerce from our rivers by hauling freight at a loss in order to compete with water transportation, and then charge an excessive rate to the shipper who lives in the interior where there is no water transportation. No sane business man would tolerate such practices in his private business affairs, and why should we as representatives of the people, clothed with the power to tax the people and appropriate their money, be less mindful of the affairs of our constituents than we would be of our own affairs? I want to see the Government adopt business methods in the administration of the affairs of the Nation. I want to see Congress function with an eye single to the development of our vast resources along economical lines, but always functioning for the benefit of the greater number of American citizens. I want to see in the not far distant future steamships and steamboats plying the waters of every navigable river in America, carrying the products of the farm, the forest, the mines, the factory to all the markets of the earth, and with this I hope to see a Nation of the most prosperous, progressive, happy, and contented peoples of all the ages of the world.

I am glad to say that we as members of your Committee on Rivers and Harbors have at all times endeavored to follow a course which would give the greatest results with the least possible expense to the taxpayer. We have stood firmly by every scheme and every program that tended to reduce the expenses of administration of Government, but we are firmly convinced that it is not always economy to deny appropriations adequate to carry on the necessary work of the Government in a continuous, successive manner. Indeed, in the development of our rivers and harbors it has been shown that the greatest expense, if I may not say extravagance, has been due to a lack of sufficient appropriations to carry on the work of improvement continuously after it has once been commenced.

It requires a large amount of money to assemble the necessary machinery with which to carry on the work, and of course, if funds are not provided with which to prosecute the work after assembling the necessary machinery and materials, then the amount so expended is absolutely lost. It was for these reasons that this committee carried the fight for increased appropriations for rivers and harbors to the floor of this House, and successfully put through a bill increasing the amount of the appropriation for the next fiscal year \$30,000,000 above that of last year and \$27,000,000 more than the Director of the Budget had recommended. We confidently believe that the wisdom of our course will have been thoroughly demonstrated by the time the next appropriation for this purpose comes up for consideration. We hope to see the work commenced on all projects heretofore adopted and prosecuted to a speedy completion. We hope out of this amount to see some of the newer projects commenced. We hope by next year to see this House adopt the plan of allowing the Committee on Rivers and Har-

bors to designate the amount to be spent upon the several projects, the time and manner in which it shall be spent, and the place where the money shall be spent.

I hope to see the great Cumberland River in my own State and in the State of Kentucky completed for the benefit of the thousands of honest peoples living in that fertile region. We have a sufficient amount allocated this year to complete at least the adopted project below Nashville, and then if I continue as a member of this great committee of this House, I expect to see the work commenced between Carthage and Burnside, Ky., and carried on continuously until that stream is made navigable 365 days in each and every year.

I know there are some here who say the expense incident to completing the remaining locks can not be justified, but to those who entertain such views let me say that there is in and contiguous to the Cumberland Valley through which this river flows 3,000,000 acres of the most fertile soil to be found in America. With proper facilities for shipping and handling the products of this vast area of productive soil we can increase the quantity production at least as much as \$5 per acre, and with this we find that in one year we have increased the value of crops raised in this particular section no less than \$15,000,000, or a sufficient amount to pay all of the expense of its completion and have a net balance left of approximately \$5,000,000.

Ah, but some one says, that operates to the benefit of only those living in that section. I deny it. When you have offered facilities which increases the productivity of any section of the country you have not only benefited that particular section of the country but you made it possible through cheaper means of transportation to reduce the cost of living to the consuming public of America.

Now, Mr. Chairman and gentlemen, I want briefly to discuss a few of the items embraced in the pending bill, and in doing so I desire to say that there is not a single project embraced in the bill that affects my district or my State. But as a member of the Committee on Rivers and Harbors, after weeks and months of diligent study and investigation, we have reported a bill here that I think is absolutely necessary to meet the requirements of the Nation at this time. I do not quite agree with the distinguished gentleman from Ohio [Mr. BURTON] in all that he said with respect to the improvement of internal rivers. I do agree, however, with him in that this Congress should have the power and should exercise the power of designating the particular projects that should be improved.

Mr. DEMPSEY. Will the gentleman yield?

Mr. CLOUSE. Yes.

Mr. DEMPSEY. In order that they might be designated with reasonable intelligence the gentleman would send them to a committee that knew something about the subject.

Mr. CLOUSE. I would certainly do that. I would not only vest the committee with the power to designate the projects to be improved but I would give the committee the power to make the appropriation to carry out that improvement. The great difficulty under the present system is that the Board of Engineers look to the tonnage and commerce that is being carried on a certain river, and from that they determine the necessity of its development or improvement. That is not the true criterion by which to be governed on river improvement, internal or otherwise. I am going to show you by an illustration. The Cumberland River project was adopted in 1886. Appropriations were made by Congress for the commencement of work. What did the Board of Engineers do? I speak of a river now that penetrates and passes through my district.

The Board of Engineers goes to the headwaters of the Cumberland River in Kentucky and constructs a lock and dam there at a cost of \$359,875.05. What next do they do? Instead of continuing at the head of the river going toward the mouth, they drop down below Nashville, a distance of nearly 400 miles, and commence there the construction of dams. They built dams on the lower river at an expense of \$3,720,832.54. They then shift the scene and commence work between Nashville and the upper Cumberland River, and there they have constructed seven dams at an expense of \$2,500,000. The first lock was placed in operation November 26, 1904, almost 20 years ago, and the last lock to be completed was 12 years ago. Nothing has been done on the remaining locks, yet, uncompleted as they are, they constitute an impediment rather than a benefit to navigation. Is that a system that any intelligent business man would pursue? The Cumberland River before the construction of these locks and dams could be utilized for navigation at least six months out of the year. As it is to-day it is a worthless project until completed. This river, as I have said, penetrates one of the most fertile sections in America—rich not only in agricultural possibilities but rich in minerals and in timber. In bygone days

the manufacturers of timber in the city of Nashville and down on the Ohio floated their logs down that stream, which is now rendered impossible by the construction of the locks, because rafts can not pass over them at any tide in the river. The commerce on this river showed a greater tonnage in 1890 than it did in 1920. Why? Because of this impracticable method of constructing locks and dams at different points and not in succession, as they should be built.

Mr. BURTON. Will the gentleman yield?

Mr. CLOUSE. I will.

Mr. BURTON. I am interested in the gentleman's statement. Do I understand the gentleman to say that that improvement by locks and dams has proved to be an injudicious one?

Mr. CLOUSE. Indeed, it is until completed, because the locks and dams make the floating of logs an absolute impossibility, and you can not traverse the river by boat higher than Carthage, Tenn., nor can you get into the Ohio by reason of the uncompleted locks and dams on the lower section.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. BURTON. Mr. Chairman, I ask that the gentleman have two minutes more than I may ask him a question.

The CHAIRMAN. The gentleman from Ohio asks that the time of the gentleman from Tennessee be extended two minutes. Is there objection?

There was no objection.

Mr. BURTON. I am interested in asking this question, because I incurred a great deal of obloquy by opposing the building of those dams. How many more are needed to complete the project?

Mr. CLOUSE. According to the plan adopted by Congress eight more dams will be required before the project is completed.

Mr. BURTON. Does the gentleman say that if those were completed the improvement would be injudicious?

Mr. CLOUSE. No. I say that if those were completed it would furnish a commerce of not less than 2,000,000 tons annually, with a value of probably \$20,000,000.

Mr. BURTON. So that the gentleman advocates the project?

Mr. CLOUSE. Indeed I do, but I do not advocate the system which the Board of Engineers has adopted in making the improvement. They should have begun at one end or the other of the river and carried on the work successfully and continuously, and not by piecemeal and in broken lots.

Mr. BURTON. The gentleman from Tennessee still advocates, I take it, the preliminary examination and the survey as a condition of the adoption of any improvement, does he not?

Mr. CLOUSE. Oh, yes. This project is already adopted. It is a continuing one. It is not necessary to embrace it in this bill. In fact, the engineers are still working upon it, but they are not working as they should work, because, as has been demonstrated here in the improvement of this as well as the Ohio River, which was adopted many years ago with an authorized appropriation of millions of dollars, now possibly two-thirds or three-fourths completed, yet those rivers are not serving the people in the way they could serve them if they were completed.

Mr. BOND. Just what the gentleman has been talking about is not embraced in the present bill?

Mr. CLOUSE. Oh, no. The Cumberland River project is an adopted one, and I sincerely hope that with the very valuable aid of my distinguished colleague, whose judgment and advice as a member of the committee is always sound, that the good people of this section of Tennessee and Kentucky may soon realize their fondest hopes, and that is that the Cumberland River may be speedily put into condition whereby it may be utilized every day of the year.

The Clerk read as follows:

Waterway connecting Core Sound and Beaufort Harbor, N. C., in accordance with the report submitted in House Document No. 88, Sixty-seventh Congress, first session.

Mr. WALSH. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. WALSH: Page 2, line 21, after the word "session" insert:

"Plymouth Harbor, Mass., in accordance with the report submitted in House Document No. 996, Sixty-sixth Congress, third session, and subject to the conditions set forth in said document."

Mr. WALSH. Mr. Chairman, this project contemplates an improvement of the harbor of Plymouth, Mass., upon conditions that the Commonwealth of Massachusetts or other local interests shall contribute \$51,000, the entire cost of the project being \$102,000. It means the dredging of an additional channel and turning basin to a new point in the harbor where the wharf is to be constructed. At the time the Committee on

Rivers and Harbors were holding their hearings the manufacturing interests at Plymouth had under consideration the dredging of a channel to another point in the harbor, and at my request the committee, under the authority which they have, requested the Board of Engineers to make a survey of this new project. That survey has been completed, and the cost of that project is such that the parties interested feel that at the present time they could not make the contribution which they expected to make toward its completion.

Mr. DUPRÉ. Mr. Chairman, will the gentleman yield?

Mr. WALSH. I do.

Mr. DUPRÉ. Will the gentleman indicate the volume of the commerce on this proposed improvement? Incidentally I want to welcome the gentleman among the supporters of the bill.

Mr. WALSH. The commerce at Plymouth is quite considerable. The main plant of the Plymouth Cordage Co. is located at Plymouth. They bring large quantities of their raw material by water and ship some of their products by water, but not a very considerable quantity.

Mr. DUPRÉ. What does the gentleman mean by "considerable"? It is a rather elastic term. I am in favor of the amendment, but I would like to hear a little more about it.

Mr. WALSH. Some fifteen or twenty thousand tons, worth several hundred thousand dollars, to that one plant. We also have there located cotton mills and I think two woolen mills which, of course, have some of their raw material and some of their fuel brought in by water.

Mr. DUPRÉ. Is the project in the gentleman's district?

Mr. WALSH. It is.

Mr. DUPRÉ. I gravely suspected that to be the fact. Is it a local or a national issue?

Mr. WALSH. It is entirely a local condition, affecting national resources.

Mr. DUPRÉ. Affecting the gentleman from Massachusetts, who is a national resource? Is that the idea?

Mr. WALSH. Hardly that, although I have no objection to the gentleman accusing me of that, in view of my characterization yesterday, which I am happy to say has not affected the gentleman's good temper and genial disposition.

Mr. DUPRÉ. It certainly has made the gentleman from Massachusetts amiable this morning when he is asking something for himself. [Laughter.]

Mr. WALSH. I plead guilty to the usual failing of humble Members who are asking appropriations for their own particular section. I was explaining why this matter had not been brought to the attention of the committee. I think I had stated that a survey had been made by a board of engineers of this other proposed project, and the interests affected and particularly interested in this other project at another point in the harbor did not feel at this time they could make the contribution which would be proper in order to have the dredging and the channel constructed at that point. The parties in interest here are at this time ready to contribute 50 per cent of the cost.

Mr. DUPRÉ. The gentleman understands that he will have to wait until the next military appropriation bill for the money to carry out this project if it be authorized?

Mr. WALSH. I understand from the explanation made by the gentleman yesterday that that will be the case.

Mr. DUPRÉ. All of which the gentleman understood before he sought the explanation?

Mr. WALSH. Oh, no; I think the gentleman does me an injustice there.

Mr. DUPRÉ. Not knowingly.

Mr. WALSH. I really was asking the gentleman for information, because I was uncertain as to what the status of these projects would be, in view of the appropriation heretofore carried in the military appropriation bill.

Now, that is all I have to say in reference to this project, except that it was passed upon by the Board of Engineers. The conditions imposed are that local interests or the Commonwealth shall contribute \$51,000 toward this improvement, which it is estimated will cost \$102,000.

Mr. DEMPSEY. Mr. Chairman, it is my understanding that the committee informally considered this report by the engineers and were ready to adopt it, but that we did not adopt it, solely owing to the circumstances suggested by the gentleman from Massachusetts. He wanted a resurvey, with the idea of the adoption of another project to which local interests would largely contribute, and while I have no authority to accept the amendment as chairman of the committee, I do state my understanding is that the committee favored the project and the adoption of the recommendation of the engineers.

The question was taken, and the amendment was agreed to.
 Mr. LYON. Mr. Chairman, I offer the following amendment.
 The CHAIRMAN. The Clerk will report the amendment.
 The Clerk read as follows:

Page 2, between lines 21 and 22—

The CHAIRMAN. After the amendment just adopted?
 The Clerk read as follows:

Insert a new paragraph, as follows:
 "Cape Fear River below Wilmington, N. C., in accordance with the report submitted in House Document No. 94, Sixty-seventh Congress, first session."

Mr. LYON. Mr. Chairman and gentlemen of the committee, as I stated on yesterday, the amendment as offered does not provide for any new project. It simply authorizes the present project to be changed so that the channel across the bar at the mouth of the Cape Fear River, Wilmington, N. C., can be straightened. This amendment has been approved by the War Department and the Board of Engineers for Rivers and Harbors. This is one of those projects that I think meets with the approval, or perhaps will meet with the approval, judging from his remarks, of the gentleman from Ohio [Mr. BURTON]. Now, I want to say this in regard to this amendment, that according to the engineers' report the cost of dredging this new channel would be very little, if any, more than to get the required depth in the present channel. It proposes to straighten the channel so as to get the same depth at perhaps a less cost, but with a saving in maintenance charge, according to the engineers, of about \$60,000 a year. We have spent on this channel as presently located hundreds of thousands of dollars, and the channel to-day is in a worse condition than it was in 1916. They figure that the cost of building a new channel, dredging, and so forth, will be even less than it will cost to dredge the channel as at present located. The cost of maintenance will be considerably less, practically saving the Government some \$60,000 or \$65,000 each year. I will bring this thought to you: This change is bound to come some time. The engineers say the conditions are going from bad to worse, and it looks to me as if it would be economy to make the change at this time, so there will be no more money thrown away on the present channel. Every year's delay means the expenditure of perhaps \$100,000 on the channel as it is now located. I want to say this, that the bill now pending in the Senate has this item in it. I think there is no question of the fact that it will become the law, but I prefer to see it become a law in the House of Representatives rather than wait until it goes through the Senate, and I hope it will have the support of gentlemen on both sides of the Chamber.

Mr. DEMPSEY. Mr. Chairman, the amendment proposed by the gentleman from North Carolina was considered by the committee. It is true that there was a favorable report by the Board of Engineers, and it is true that the Board of Engineers estimated that the annual maintenance would be reduced from \$90,000 per annum to \$30,000 per annum, and so a large saving will be made. It is true also that the present channel is tortuous and dangerous, but the commerce on the Cape Fear River is not large enough so that we think that it would justify the item at the present time, and we have tried to keep the expenditures down just as low as possible. We think the project should be adopted at the proper time, but we do not believe that it should be adopted now.

Mr. LYON. Does not the gentleman think, though, that in view of the fact we are continuing to expend \$90,000 a year in attempting to maintain the present channel that we should not wait until they have spent two or three hundred thousand dollars more before making this change?

Mr. DEMPSEY. I stated very frankly the facts.

Mr. LYON. I appreciate that.

Mr. McDUFFIE. Does not the gentleman recognize the fact that by the adoption of this amendment it would mean the saving of money on the part of the Government in the end?

Mr. DEMPSEY. I stated the facts in regard to it. I said the engineers estimated that instead of costing \$90,000 a year it will only cost \$30,000 a year; there has been an expenditure of \$420,000 and—

Mr. DUPRÉ. In six or seven years the saving would pay for this improvement if authorized at the present time. Is not that so?

Mr. DEMPSEY. Yes. After all—

Mr. LYON. Will the gentleman yield for a question?

Mr. DEMPSEY. This is one of the close questions, I will say frankly. We thought we ought to keep within as narrow proportions as possible in spending the money, and I am obliged to say that this is one of the close questions.

Mr. LYON. I want to make this statement: I wish to say about the additional cost of \$420,000, that the estimated amount

for the completion of the present project, which has not been completed, is \$303,000, and that amount is not available. And the engineers state, I believe, that the difference in the cost of completing the present project as the channel is now located; and the cost, if the change be made, will be less than \$200,000.

Mr. DEMPSEY. That is entirely correct.

Mr. LYON. And we could save \$60,000 a year for the maintenance.

Mr. DEMPSEY. All those things are true.

The CHAIRMAN. The question is on the amendment of the gentleman from North Carolina [Mr. LYON].

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Sabine-Neches Waterway, Tex., in accordance with the reports submitted in House Document No. 975, Sixty-sixth Congress, third session, and the supplemental reports submitted by the Chief of Engineers under date of February 25, 1922, and subject to the conditions set forth in said reports: *Provided*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement: *Provided further*, That before entering upon the prosecution of the improvements herein authorized, local interests shall guarantee, in a manner satisfactory to the Secretary of War, that the United States will be held free from any claim for damages resulting from the execution of the work hereby authorized.

Mr. DEMPSEY. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will read.

The Clerk read as follows:

Amendment offered by Mr. DEMPSEY: Page 3, lines 14, 15, and 16, after the word "and" in line 14, strike out the words "the supplemental reports submitted by the Chief of Engineers under date of February 25, 1922," and insert in lieu thereof the following: "Senate Document No. 152, Sixty-seventh Congress, second session."

Mr. DEMPSEY. Mr. Chairman, this is simply a formal amendment. The report was not in at the time this bill was prepared, but has come in, and we give it the proper designation.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. GARRETT of Texas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GARRETT of Texas: On page 3, after line 24, insert the following paragraph:
 "Buffalo Bayou, Tex., in accordance with the report submitted in House Document No. 93, Sixty-seventh Congress, first session, and subject to the conditions set forth in said document."

Mr. GARRETT of Texas. Mr. Chairman, I feel confident if the gentlemen have examined House Document No. 93 and have looked into this project at all they will readily agree with me that this project should be included in this bill. This is what is known as the Upper Houston ship channel, which is a distance of about 6 miles from the turning basin to the foot of Main Street in the city of Houston. There is a considerable amount of traffic carried over this portion of the channel. I think in 1918 the report showed that there was over \$26,000,000 of freight transported over this portion of the channel. It is now 5 feet deep and a little over, and this is to authorize a depth of 10 feet.

The people of Houston have spent a great deal of their own money on this project. They have built a public free wharf at the foot of Main Street that cost \$50,000, and the traffic is growing day by day. The immense industries of the Houston Ship Channel are served by it, and the coast country craft that ply from the foot of Main Street serve people that the larger vessels do not serve. This project has been approved by the engineers, and it is one that ought to be in this bill. I would certainly feel very grateful to the chairman of the committee if he should agree with me that this should go in and, if not, that my good brethren here in the House will join me in putting it in this bill.

Mr. DEMPSEY. Mr. Chairman, I would like to have the proposed amendment read again, please.

The CHAIRMAN. Without objection, the amendment will be again reported.

The amendment was again read.

Mr. DEMPSEY. Mr. Chairman, all I can say in regard to this amendment is this, that this is a part of the Houston Ship Canal, which is one of the great waterways of the country, doing a very large business, but while there is a favorable report the committee did not deem that this was the proper time to adopt it or incur the expenditure. On that account the committee feels that the amendment should not be adopted.

Mr. GARRETT of Texas. The gentleman will concede that this is a very meritorious project?

Mr. DEMPSEY. The Houston Ship Canal, I am frank to say, is one of the great waterways of the country. Of course, it is impossible to adopt all these improvements at one time. I think the gentleman's amendment will prevail at some time, but we could not accept it now.

Mr. GARRETT of Texas. I hope the gentleman will accept it now, because to-day is the day of salvation, and to-morrow is uncertain.

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Texas [Mr. GARRETT].

The question was taken, and the Chair announced that the yeas seemed to have it.

Mr. GARRETT of Texas. Division, Mr. Chairman.

The committee divided; and there were—ayes 11, yeas 23.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Red Lake and Red Lake River, Minn., in accordance with the report submitted in House Document No. 61, Sixty-sixth Congress, first session, and subject to the conditions set forth in said document.

Mr. DEMPSEY. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. DEMPSEY: On page 4, between lines 8 and 9, insert the following paragraph:

"Monongahela River, Pa., in accordance with the report submitted in House Document No. 288, Sixty-seventh Congress, second session."

Mr. DEMPSEY. Mr. Chairman, the Monongahela River has the largest traffic of any of these inland rivers of the whole country—over 24,000,000 tons. The traffic is not only tremendously great, but it is increasing very rapidly. At the present time not alone is the river, owing to the insufficiency of the improvements, unable to accommodate the traffic, but the traffic is positively dangerous. This condition is constantly increasing. Very great businesses are waiting upon the improvements to be made which are contemplated in this report. Enormous sums will be expended the instant the Congress has adopted it. I know of no provision in this bill and know of no provision which could be inserted in any bill, which is more meritorious or which should be adopted in preference to this particular amendment.

Mr. KELLY of Pennsylvania. Mr. Chairman, the improvement of the Monongahela River into a great commerce-carrying waterway was a dream of George Washington in the early days of the Republic.

On several occasions he traveled from the Point at Pittsburgh, where the Monongahela joins with the Allegheny to form the Ohio, to its sources in the West Virginia mountains.

In the diary which he kept on those journeys are many allusions to the strategic importance of the Monongahela and the possibility of making it part of a continuous waterway from the Gulf of Mexico to the Atlantic seaboard.

But, Mr. Chairman, even the far-seeing Washington did not vision the actual accomplishments of the present. The river he followed through the wilderness is to-day the greatest commerce-carrying waterway in the United States. In 1920 more than 24,000,000 tons were carried on its bosom, almost all the tonnage being coal for the great industries of the Pittsburgh district.

I have been at Lock No. 3 on this river and have seen the continuous procession of the boats, at a time when 100,000 tons of coal were being locked through in 24 hours, while the empty barges were passing upstream. Such a sight can be seen on no other river in the United States.

The Chief of Engineers, United States Army, has reported that the commerce on this river is increasing rapidly. With the increasing utilization of the river the correction of certain physical disadvantages of the present locks and dams has been urgent.

The Chief of Engineers sums up the case as follows:

The construction of an additional chamber at Locks Nos. 7 and 8 is necessary to accommodate the increased traffic and also to avoid any interruption to the movement of coal should an accident occur to any one of the chambers. Where a dam is provided with a lock consisting of one chamber only, any accident to this lock interrupts traffic on the river. As stated in the reports of the district engineer and the Board of Engineers for Rivers and Harbors, the movement of coal has grown to such amounts that any interruption is of far-reaching consequence. As an illustration it may be stated that there is one industrial plant on Pool 2 of the river which now uses about 35,000 tons of coal per day, all of which is brought to it by water. It is readily seen that any interruption to this steady movement of coal would be most disastrous. Another industrial plant uses 14,000 tons of coal per day. Both of these plants are taking steps to increase their facilities with a corresponding enlarged consumption of fuel. The increased movement of coal has also rendered necessary the extension of the guide walls of the

lock, and in some cases the guard walls also. The term "guard wall" is applied to that wall in extension of the lock wall nearest to the dam. The guard wall is a great measure of safety to the fleet, as it protects it from danger of being carried over the dam in high water. Under present conditions with the present guard walls towing proceeding downstream are compelled to drive into the head of the lock at full speed in unfavorable conditions of wind and water, and this action has caused damage at several localities. The guard walls should, therefore, be extended both for the safety of navigation and the safety of the locks themselves. There is great danger if the guard walls are not extended, as stated in the report, of a serious accident involving not only loss of property but also loss of life. The term "guide wall" is that given to the extension of that wall of the lock nearest to the land and generally parallel to the bank. The extent of tow movement on the river is now so great that where formerly vessels could tie up during foggy weather or exceedingly high winds, they are now compelled to navigate as long as they possibly can. This means that tows are constantly arriving at the locks, and if the guide walls are not of sufficient length, much time is lost in moving the tow into the lock, whereas with the guide walls of sufficient length that they can accommodate the entire tow, the tow is able to move into the lock as soon as the gates are open. The extension of the guide walls is of first importance in securing the efficiency of the structures already existing, for cases are already not uncommon where a lock even with double chambers is kept in operation every minute of the 24 hours. * * * If the guide walls are not extended as recommended, the locks in the course of a very few years will be unable to handle the traffic desiring to pass through them. The tow in times of high water can not remain unmoored a short distance above the lock without danger of being carried over the dam. It is necessary, therefore, that the tow, if it has to wait, be tied up immediately above the lock, so as to move into it at slow speed, or so far above it as to gain sufficient headway to permit maneuvering on approach to the lock. The delay in the latter case will be readily recognized.

* * * Since the improvements proposed by the district engineer are designed to meet the needs for increased capacity and to provide the facilities for expediting and safeguarding the important business of this river, the board is of the opinion that the work is worthy of being undertaken by the United States, and it therefore concurs with the district and division engineers in recommending the modification of the existing project to the extent above indicated. The board believes that the transportation facilities afforded by this improvement give such benefits to the general public through the reduction in cost of manufactured products that no local cooperation should be required.

After due consideration of the reports and also of the far-reaching economic results, I concur in general with the views of the district engineer, the division engineer, and the Board of Engineers for Rivers and Harbors, and therefore report that the further improvement of Monongahela River, Pa., is deemed advisable to the extent proposed and described above, at an estimated cost of \$6,640,439. I concur with the district engineer and the board also in the opinion that no local cooperation should be required in this case. The initial appropriation should be \$2,000,000 and the balance as required to complete the work in four years, with the exception of the second chamber at Lock No. 8, whose construction may probably be deferred until the movement of coal from the pool above it requires its use.

LANSING H. BRACH, Major General.

Mr. Chairman, in 1886 an eminent English authority on the manufacture of iron stated that the iron trade in the northern part of the United States could never become one of a largely exporting character because of the distance at which iron ore and fuel lie apart and the expense of sending the product to the seaboard.

This handicap has been overcome by American enterprise. The iron ore comes from the Lake Superior fields to the lake ports and thence to Pittsburgh. The coal can be brought to the center of manufacture by means of the Monongahela River.

Upstream improvements are now essential, as the coal in the lower reaches is practically exhausted. Railroad transportation will not meet the need, because of the physical characteristics of the land. Nor can the steel companies provide the space necessary for incoming cars, for switching, and for empty cars.

It is stated that within 5 miles from the river, in Pools 7 and 8, there are hundreds of millions of tons of coal in the Sewickley vein alone. This can be handled to the Pittsburgh district by water at a saving of 50 cents a ton. There are companies which use from 17,000 to 35,000 tons of coal every day, so that the saving involved would greatly lessen the cost of producing iron and steel.

The United States has spent to date on the Monongahela River \$8,041,855. This further amount of \$6,640,439 will make a total of little more than half that spent on the locks at Sault Ste. Marie, which are much less vital to American industry.

In the Monongahela Valley, exclusive of the city of Pittsburgh, are 34 cities, boroughs, and towns, with a population of 250,000. The business activities of the valley are largely confined to two great industries—bituminous coal and the manufacture of steel products. The presence of the vast beds of coal in the valley is largely responsible for the great steel industry.

Mr. Chairman, this is no local improvement, but one nationwide in scope. It means cheaper production of the products which are basic in our civilization. It should inure to the benefit of every consumer in America, wherever located.

I was glad to introduce as a bill the measure which is now incorporated in the amendment offered by the chairman of the committee. It should be adopted without a vote in opposition, for it means benefit to every American. [Applause.]

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Jamaica Bay, N. Y., and the entrance thereto, in accordance with the progressive project adopted by the river and harbor act approved June 25, 1910, with a view to securing a depth of 30 feet at mean low water as far as Mill Basin, subject to the conditions set forth in House Document No. 1488, Sixtieth Congress, second session.

Mr. BOND. Mr. Chairman, I present a committee amendment.

The CHAIRMAN. The gentleman from New York offers a committee amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BOND: Page 6, strike out the paragraph in lines 14 to 20, inclusive, and insert in lieu thereof the following: "Jamaica Bay, N. Y.: Any funds heretofore or hereafter appropriated for this improvement may be applied to providing the channels specified in House Document No. 1488, Sixtieth Congress, second session, with a depth of 30 feet at mean low water whenever and to such extent as the city of New York shall construct or provide for the construction of terminals with facilities suitable to channels of that depth: *Provided*, That the city of New York may be reimbursed for dredging and disposing of the material dredged from the main interior channel at actual cost: *Provided further*, That such reimbursement which may include overdepth allowance not exceeding 1 foot shall be made on a cubic yard unit cost and shall not exceed a rate of 10 cents per cubic yard for dredging and disposing of the dredged material, including any cost of inspection borne by the United States."

Mr. BOND. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the Record.

The CHAIRMAN (Mr. WALSH). The gentleman from New York asks unanimous consent to revise and extend his remarks in the Record. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from New York is recognized for five minutes.

Mr. BOND. Mr. Chairman and gentlemen, this is a provision which was drafted by the Army engineers, and which has the unanimous consent of the Committee on Rivers and Harbors, to carry into effect a contract which was entered into a number of years ago between three parties, the United States Government, the State of New York, and the city of New York. Under this contract the State was to deed to the city of New York 16,000 acres of land. This has long since been done. The United States was to dredge the entrance channel to be protected by one or two riprap jetties to be provided when necessary. The limit of the expenditures of the United States Government in any event was fixed by the terms of the agreement at \$7,450,000. The city on its part was to make these channels of service by dredging basins, erecting bulkheads, and by making suitable connections with the upland. While the original project as adopted provided for a 30-foot channel, it also provided that 18 feet was first to be provided and then, as commerce required, increased to 30 feet. The purpose of this amendment, which has the full approval of the Army engineers, and the phraseology of which was drafted by General Taylor, of the Board of Army Engineers, is designed to carry out the original project of a 30-foot channel in Jamaica Bay.

A great work is being done at Jamaica Bay. It has the facilities, if properly developed, so that it may become one of the great loading ports of the world.

This is an amendment which will make it possible to apply the money appropriated and to be appropriated to the improvement creating the 30-foot channel.

This is another example of the present method adopted by Congress of only making appropriations for river and harbor improvement where there is local cooperation. In this particular instance it is estimated that the expenditure of the city of New York for this improvement will be twenty times that of the United States Government. This is a part—a most important part—of the port of New York. While you all realize in a measure the importance of the port of New York, it might be well to place before you a few concrete facts. It is estimated that about one-half of all the foreign commerce of the country goes through the port of New York. A port district was created by a joint act of the Legislatures of New York and New Jersey and ratified by the Congress of the United States. This port district of New York alone, as thus created, contains 105 organized municipalities. It embraces a population of 8,000,000 people and is served by 12 trunk-line railroads, which bring in and take out over 75,000,000 tons of freight per annum. An immense number of foreign and domestic steamships, not less than 8,000 in number, annually bring to or take from the port over 45,000,000 tons of freight per annum. There is an almost incalculable amount of local water-borne traffic within the port. There is the most prodigious manufacturing output in the world within a similar area, with a variety of products and commodities to be handled unprecedented anywhere else. There are over 4,000,000 tons of foodstuffs alone annually required by the people of the port district.

The magnitude of the Jamaica Bay portion of the port of New York may be visualized when it is stated that it contains an area of 18½ square miles and is sufficient to include the harbors of Liverpool, Rotterdam, Antwerp, and Hamburg, and still have some to spare.

In carrying out its part of this three-party agreement, during the last year the city of New York entered into a contract for the bulkheading of 2,240 feet, extending south on Flatbush Avenue extended, to Rockaway Inlet, at a contract price of \$525,000. This work is now more than two-thirds completed. April 8, 1921, the city of New York authorized the issuance of corporate stock of \$750,000 for dredging and bulkheading construction. While the city of New York already owns most of the property adjacent to this development, it has adopted a plan and has taken actual steps to acquire additional land at a cost estimated at \$5,000,000. The city of New York is awake. It realizes that it must furnish better harbor facilities than it has done in the past, and this is part and parcel of the general scheme to accomplish this. Plans have been already drawn by the city of New York, and the money has been provided for the building of additional docks at Jamaica Bay. These docks are of most modern construction, with most modern compliances and of a size never before constructed, one being 757 feet wide by 1,000 feet long, and the others being 757 feet wide and 2,000 feet long. This modification—if it is even that—has the approval of the Army Engineers and of the entire Rivers and Harbors Committee, which has not only had hearings on the subject but it has examined Jamaica Bay and has seen the work now being done by the city of New York in actual construction.

This improvement is more than local, it is a part of the development of the transportation system of the country. There is hardly any subject of more importance before the public to-day than that of transportation. No country can become truly great without a real system of transportation. Water transportation is, and always has been, the cheapest form of transportation. As the country grows in population and prosperity it will become increasingly more necessary to increase water transportation facilities. It has been estimated that nearly one-half the cost of most necessities of life is for transportation and distribution.

The entire bill under discussion appropriates in round numbers on new projects and modification of old ones \$37,000,000. Only the most urgent of projects have been included in the bill. In addition to this sum there was appropriated in the Army appropriation bill passed by the House for old projects and their maintenance the sum of approximately \$42,000,000. Considering the tremendous commerce of the country carried on our waterways this is an exceedingly small sum, and it is predicted by those who have given the subject most thought that in the near future appropriations for such improvements will be greatly in excess of the amount being provided this year. Many other projects were presented to the committee and discarded, not because they were without merit, because many of them were of exceeding merit, but because it was felt that the financial condition of the country is at present such as not to warrant greater expenditures at this time. No doubt many of these will be considered at a later date and adopted. I am sure the commerce of the country will warrant this action.

In the old days there used to be considerable criticism of rivers and harbors appropriations, and there is no doubt that in many instances money was appropriated for projects which did not have real merit. Under the present method, however, of framing these bills such a result can never occur again. There is not a project in this bill which has not had the careful consideration and scrutiny of the Army engineers, who have specialized in this character of work, and each and every project contained in the bill has been approved and recommended by the Army engineers. Also it is the settled policy of the committee not to recommend any project in which the locality does not have sufficient faith to cooperate to the extent of contributing its own funds to the enterprise. In most of these projects at least one-half of the expense is borne by the localities, and in many of them the localities bear the expense to a much larger proportion. This effectually does away with the old tendency to ask for Government improvement of projects without merit, for no locality is willing to match money with the Government unless it conscientiously believes that the improvement when made will be worth the money invested.

The members of your committee have given this bill most careful and painstaking attention, and its members feel sure that it is a conservative measure, well worthy of your most favorable consideration.

Mr. LAYTON. Mr. Chairman, will the gentleman yield?

Mr. BOND. Yes.

Mr. LAYTON. I understand that this amendment does not call for any larger appropriation?

Mr. BOND. That is correct.

Mr. LAYTON. But owing to the congestion in the port of New York the city of New York has bought land on the north shore and proposes there to erect docks and terminals in order to relieve that congestion?

Mr. BOND. Yes; that is true. The city of New York let a contract last year of \$535,000 for this work. Two-thirds of that work has been done. They also issued bonds for \$750,000 for this improvement. Piers, the largest ever built, have been planned for, and the money has been provided.

Mr. McDUFFIE. Mr. Chairman, will the gentleman yield?

Mr. BOND. Yes.

Mr. McDUFFIE. This addition to the terminal facilities is very much needed by the commerce of the city?

Mr. BOND. It is tremendously needed. Nearly one-half of the commerce of the United States goes through the port of New York. It is very congested, and has been complained of a great deal, and this is a part of the development, so as to relieve that congestion. [Applause.]

The question is on agreeing to the amendment offered by the gentleman from New York.

The amendment was agreed to.

The Clerk read as follows:

Waterway from the Mississippi River to the Sabine River, La. and Tex.: The section from Calcasieu River to Sabine River, in accordance with the report submitted by the Chief of Engineers under date of August 13, 1921, and printed in Senate Commerce Committee document.

Mr. DEMPSEY. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DEMPSEY: Page 6, line 24, and page 7, lines 1 and 2, strike out the words "by the Chief of Engineers under date of August 13, 1921, and printed in Senate Commerce Committee document" and insert in lieu thereof the following: "in Senate Document No. 149, Sixty-seventh Congress, second session."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Trinity River, Tex., from Liberty to Dallas, in accordance with the report submitted in House Document No. 989, Sixty-sixth Congress, third session.

Mr. BRIGGS. Mr. Chairman, I move to strike out the last word. This provision leaves the river open from the mouth up to Liberty, but provides for the abandonment of the stream from Liberty on up to Dallas?

Mr. DEMPSEY. Yes.

Mr. BRIGGS. Mr. Chairman and gentlemen of the committee, the Rivers and Harbors Committee has followed the recommendations of the Army engineers in declining to continue any further improvement of the Trinity River between Dallas and Liberty, and in so doing has, in my opinion, been too greatly influenced by the expenditures heretofore made in the construction of locks and dams in the upper part of the river, within 50 miles of Dallas, without the development of a sufficient amount of commerce to justify the investment.

I do not intend to offer any extenuation or excuse for the investment of nearly \$2,000,000 in locks and dams in the upper part of the river under the plans pursued in the past. That was something with which I had nothing to do. Starting the improvement of the river at the head of the stream was, in my opinion, a grievous mistake, and one that has occasioned not only a considerable loss to the Government but has also resulted in the greatest injury to the further development of navigation upon the river and to those who would have made substantial use of the lower half of the waterway if its improvement had been commenced at the mouth of the river and carried on up the stream as conditions required.

In the development of the Mississippi River the plan apparently deemed the proper and only logical one was to commence the improvement at the mouth of the stream and then carry it on up as the demands of commerce justified. And a similar course, it would appear, has been pursued with respect to other streams. Had the improvement of the Mississippi been started at the head of the stream instead of at its mouth, as was the plan pursued with respect to the Trinity, the great port of New Orleans would never have been developed and there probably would have been no navigation of consequence upon that great waterway.

But in the case of the Trinity, Congress saw fit to start the improvement at the head of the stream and work downward to the mouth, and now appears disposed to condemn the river because the lock and dam construction in the upper part of the stream has not provided the commerce anticipated in that section of the river. Had the development of the stream proceeded from its mouth northward, it would have permitted commerce to have utilized the stream to the fullest, and, as the development proceeded, would have afforded not only a waterway for the surrounding country but an outlet to the sea for the vast resources of timber and other building material, as well as the agricultural products of the territory along the waterway.

I therefore insist that the previous action of Congress in starting the improvement of the Trinity at the wrong end can not justify the conclusion that the improvement of the lower half of the stream would not develop enough commerce to make further investment advisable at this time.

It is true that after much investigation and a number of hearings it was made apparent that the improvement of the river, by open channel work, from the mouth of the stream as far up as Liberty ought to be continued and that this recommendation has been adopted by the committee, and it is further true that, as such improvement proceeds and commerce develops, additional development of the river northward will probably be made; yet this does not, in my opinion, justify the present abandonment of the remainder of the lower half of the stream, although it may not be regarded by the committee as being advisable to continue further lock and dam construction.

The conclusion of the Army Engineers and of the Rivers and Harbors Committee that enough commerce could not be expected to develop to justify further improvement of the section of the stream between Long Lake or Hurricane Shoals and Liberty, either by virtue of a plan for additional locks and dams or open channel work, is not, in my opinion, borne out by the testimony adduced upon the several hearings held by the engineers at my request within the past three years.

At a hearing recently before the Rivers and Harbors Committee upon this project I took occasion to review some of the testimony which came from those residing in various counties along the river, who have been for years and are now intimately acquainted with the stream, the adjacent territory, and the resources, and available commerce of that section. It is so important that I feel it proper to again refer to the same with reference to the present transportation conditions which have particularly emphasized during and since the World War the great need of a more adequate development of the waterways.

Everywhere there is felt the discomfort and, no doubt, the distress, in many cases, flowing from the scarcity of houses and apartments for rent and the alarmingly high and necessary prices that must be paid to keep a shelter over one's head. Building operations—either industrial, business, or for home use—are not keeping pace with the demand; and one of the chief reasons why is the reluctance of those able to build to pay the high costs of construction, especially of building material. Entering into this cost will be found the cost of transportation as one of the greatest factors, whether the material moved is steel from the mills or gravel from the pit or stone from the quarry.

Can anyone, therefore, fairly argue that the failure of individuals and communities to get reductions in costs of transportation to haul building material both for building and highways is not delaying the solution of both the housing and transportation problem? Certainly it needs no argument to demonstrate that for many years to come the railroads will not be able to carry the tremendous amount of growing traffic that will have to be moved.

But it is not alone a case of entire want of such facilities in many most important cases, but even where such transportation can be obtained it is at such greatly increased costs that cheap materials can no longer be hauled and remain cheap. Perhaps no group of men better appreciate or are more familiar with that situation than the Army engineers. The great Government projects of which they are in charge have reflected these enormous increases not only in the actual costs but must, so far as freights are concerned, still be anticipated in their estimates in some appreciable degree.

But even the Government does not have brought home to it and does not encounter the difficulties to the same extent or in quite the same discouraging degree as those engaged in work other than that for the Government. The Government, because it is the Government and its projects are the projects of all, commands the advantage of priorities in shipment, and can get materials hauled where others can not, even though transportation charges are abnormally high.

Perhaps as alarming a development as can be cited is that there nowhere appears to be any prospect of a substantial decline in railroad freight rates.

This condition of lack of transportation, as well as high costs, threatens to result in still greater confusion and demoralization unless the waterways of this country can be utilized.

I am well aware of the efforts of the past to develop inland waterway transportation and the discouraging results that have followed from the standpoint of the actual use of the improved streams. It has not been contended, and, of course, can not be, that the waterways have not brought about enormous reductions to the people in freight rates. But in doing so the commerce on the streams has for the most part been destroyed, for the charges the railroads made were so low—admittedly in some cases by the railroad heads to be at cost and perhaps at an actual loss—on the haul that water rates were practically met, and shippers, where it was possible to do so, would use the railroad in preference to the stream. The railroads never allowed water competition to divert from them any traffic, even if it required, as stated, rail rates to be made so low that there was no profit in the haul. Moreover, they would not issue through or joint rates and declined to issue through bills where hauls were to be partly by rail and partly by water, thereby keeping through traffic not originating on a river or other stream from using an inland waterway. This is not forming an indictment of the railroads; it is reciting only actual experience and gives the reasons why commerce has not developed on our streams when railroads were sufficiently near to serve the needs of communities and shippers.

But these lessons have not been taken by the people as reasons for abandoning their streams and turning over their entire transportation needs to the railroads for solution. Instead the public has sought for and found, I believe, the means of correcting and checking an artificial—not natural—condition which has prevented the use of natural highways, streams, when all facilities for transportation are needed and, as previously asserted, more desperately than ever to-day.

Conditions, too, have changed greatly in the last three years. The railroads have only recently notoriously broken down. They were in that condition before the Government took them over. The strain to which they were subjected by the vast war movement did not benefit them, and gave no opportunity to bring them up to the fullest measure of efficiency to which they might be raised. It was only with the greatest effort and exhaustion of every available resource that they could be coaxed and forced into carrying the tonnage that simply had to be carried to win the war.

Even then the country released them from every haul considered by the Government unnecessary, or rather subordinated to the exigencies of the time. They hauled little bulk freight—whether steel, ore, stone, gravel, lumber, or what not—that was not immediately destined for war material or as a direct aid in supplying the facilities required to carry on the war.

This is not said in criticism—for the tonnage the railroads carried in freight and passengers was enormous—but to emphasize how industry, ordinary commerce, and public and private improvements, in a general way, were interrupted, halted, and delayed for several years; everybody and every industry have held off buying as far as they could since the war, waiting for costs to come down; but the purchase of machinery, equipment, supplies, or raw materials would not longer be postponed, probably, if transportation charges were sufficiently reduced.

It would be a bad enough situation if the railroads only had to meet the problem of moving the tonnage that the people of the country have been waiting to have moved since the war began, and also the normal current demand for transportation.

Only comparatively recently the public had the experience of inadequate roadbeds, equipment, and terminals to even take care of that situation, and there was further presented an even more aggravated situation during the previous immense movement in the foreign trade, coal shortages in sections of our own country, with the greatest crops, which had to be moved, that perhaps this country has ever produced.

The coal situation and the crop movement were more than temporary situations, and were contributing factors which added to the congestion produced by the more constant causes and demonstrated the demoralization in railroad transportation from which there is no relief except through the waterways.

But perhaps even such desperate conditions might not suffice to persuade the railroads to forego their practice in the past of throttling water competition by putting into effect—and either maintaining or raising later—rates which operate to drive water traffic and steamboats from the rivers; so Congress in the

recent transportation act of 1920 (pars. 1 and 2 of sec. 406) provided that the Interstate Commerce Commission shall not grant any authority to railroads exempting them from the operation of the so-called long and short haul provision "on account of merely potential water competition, not actually in existence," and further provided:

Wherever a carrier by railroad shall, in competition with a water route or routes, reduce the rates on the carriage of any species of freight to or from competitive points, it shall not be permitted to increase such rates unless, after hearing by the commission, it shall be found that such proposed increase rests upon changed conditions other than the elimination of water competition.

It has been charged that the purpose of this statutory inhibition against raising rates after reduction to meet a potential or actual water competition has been practically defeated and its value destroyed, by the ability of the railroads to recoup their losses or increase their earnings under the discretionary power heretofore vested in the Interstate Commerce Commission to waive the operation of the "long and short haul" clause, and allow the railroads to charge less for long than short hauls. By the amendment referred to of the interstate commerce act the Interstate Commerce Commission is now prohibited from authorizing any such waiver on account of merely potential water competition not actually in existence, and thereby vitality will be given to the other provision which prohibits increase of rates after being once reduced, except under certain conditions.

While it is often argued that railroads were accustomed frequently to raise their reduced rates made to destroy water competition, after such destruction had been completed, this was by no means general; and it is common knowledge that such low rates were kept in effect to deter the establishment of any new river or waterway service. Therefore the clause prohibiting increase after reductions was seldom, if ever, called into operation, as the railroads could recoup their losses or increase their earning through the indefinite suspension of the "long and short haul" clause, and therefore were indifferent. But now, once railroad rates are reduced to destroy water competition, they must stay reduced until changed conditions obtain other than the elimination of water competition. And railroads will not be permitted to recoup losses or increase earnings in another way.

But these are not all the regulatory measures recently adopted to meet and correct the condition which previously has enabled the railroads to destroy the traffic on the waterways and deprive the country of their service.

Congress, in the new transportation act of 1920, has further conferred the great power upon the Interstate Commerce Commission of fixing not only maximum but minimum railroad rates. This will enable the Interstate Commerce Commission to protect the waterway transportation from the assaults of the railroads by preventing them from reducing their rates to a point that will destroy the competition, although unprofitable otherwise.

Moreover, provision is made for through rates, and a maximum charge where one of the carriers is a water line. This is one of the powers that the commission seemed inclined to think it previously had, but concerning which apparently the railroads took a contrary view. It now moves out of the sphere of controversy and becomes one of the further aids that waterway advocates have urged as necessary to a successful solution of waterway commerce.

At the risk of perhaps being regarded as tedious, I have dwelt at some length upon recent fundamental and vital changes in economic and transportation conditions. I have also called attention to new statutory powers and inhibitions that are regarded as means for bringing about reforms which will enable waterways to develop lines and commerce and succeed when improved consistently with present and prospective needs.

But I have not yet directed attention to a recent declaration of policy by Congress that is equally important and deserves the closest consideration by all.

Section 500 of the transportation act of 1920 expressly declares—

It is hereby declared to be the policy of Congress to promote, encourage, and develop water transportation service and facilities in connection with commerce of the United States, and to foster and preserve in full vigor both rail and water transportation.

Of course, no one knows better than Congress the history of the decline of inland waterway transportation in this country, with the reasons and causes for such decline. Nor is anyone better informed upon the deplorable lack of commerce and shipping on improved or partly improved waterways, capable of handling a very large tonnage in the aggregate. And yet with the picture before it of the rather disastrous past experience of the waterways in competition with the railroads, Congress

has determined and declared in unmistakable language that the waterways of this country shall not be abandoned, but instead shall be promoted, encouraged, and developed, with necessary service and facilities, and that both rail and water transportation shall be fostered and preserved in full vigor. Could language be stronger in enunciation of a present and future policy or more convincing that Congress had made up its mind definitely that the waterways are absolutely necessary and must be preserved and fostered because they are needed? Feeling also, because many, owing to unfair competition, may not be used as they ought to be used and many may not be paying now reasonable returns on the Government investment, that is no reason for abandoning them. It is rather viewed as only a more urgent reason for removing their artificial handicaps and putting them to service. The railroads under Government operation lost a billion dollars in two years and a half, and under private control continue to lose at the rate of a hundred million a month—which the Government paid for a while—in spite of rate increases, which the public continues to pay in high freight and passenger rates. But this is not regarded as any reason for abandoning the railroads, in the face of an unprecedented need and demand for transportation. And yet these losses aggregate more, probably, than the total cost, extending over more than a hundred years, of improving and developing not only all the inland waterways of the United States but the coast waters, ports, and harbors as well, with all the cost of maintenance thrown in. According to the Report of the Chief of Engineers for 1921, the total amount of all appropriations made by Congress was \$1,072,611,103.44.

Attention has been pointedly called, though in a rather general way, to the new and changed conditions because of the arguments so often voiced that since the building of the railroads river traffic has gone never to return. I think it has been demonstrated that there is very little, if any, basis left for such a conclusion if improvements of the waterways are continued under the present declared policy of Congress, in the light of such new conditions and with the statutory safeguards which it has so recently provided—quite aside from other most important considerations as applicable to the Trinity.

It is therefore erroneous to argue that because the Trinity River lost the largest part of its boat traffic after the coming of the railroads that it can never be restored.

The Trinity River, in fact, enjoys additional considerations in favor of its improvements not enjoyed by a great many other improved waterways, and in this connection I desire to call attention to the evidence developed on the last hearing before you of the enormous quantities of hardwood timber in the bottom lands and the vast deposits of stone and lignite along the banks of the river, as well as to the sand and gravel in its bed.

Not only in the testimony of the witnesses who have appeared at the various hearings has this condition been made to appear but it is confirmed by the original survey report of Colonel Barden and the supplemental or reexamination report of Colonel Cosby.

Mr. D. A. Nunn, of Crockett, one of the most prominent citizens in that community and who is exceptionally well posted on the situation, testified that between Hurricane Shoals (sec. 20) and White Rock Shoals (sec. 25) there are over 1,000,000,000 feet of merchantable hardwood timber. He further states the great body of the same is right adjacent to the river.

Practically all witnesses agree that upon this land there can conservatively be cut 5,000 feet of merchantable timber to the acre, worth at least \$5 a thousand. Some of the witnesses gave actual estimates running up to 10,000 feet to the acre, but for purposes of average it may be assumed that there are only 5,000 feet to the acre.

The supplemental or reexamination report also shows that while there are 250,000 acres of land in the valley within 1 mile of the river between Long Lake (mile 316) and the mouth of the stream, yet the total area of land nearer to the river than to a railroad from Long Lake to the mouth is approximately 1,084,100 acres, the great bulk of which, as all witnesses testified and the reports reflect, is heavily timbered. There are from five to ten billion feet of timber on these acreages, valued at from \$25,000,000 to \$50,000,000.

In fact, the reports show that of the 675,000 acres of bottom lands in the reach from Dallas to the mouth only about 10 per cent was cultivated, and of the territory within 1 mile of the river only about 14 per cent. It is assumed that these figures are averages, as in some localities, like that of Trinity County, it is reflected by the testimony of Mr. Reufrow, of Trinity, that over 20 per cent is in cultivation, and, according to Messrs. Wooters and Ellis, of Houston County, out of 89,000 acres over

40 per cent was cultivated. Of course, it is frankly admitted that the cultivation along some parts of the river is very much greater than it is along other parts.

But it is apparent from only brief computation that several billion feet of hardwood, merchantable timber is to be found in the bottom lands along the lower Trinity, conservatively valued at \$25,000,000 at the least estimate. Surely this great asset of the country is worth saving and ought not to be destroyed.

It moreover offers commerce both in rough and milled lumber right on the banks of the stream.

But these vast resources of timber are not all that is available for tonnage on the stream. The great deposits of lignite, which are shown to exist along the banks of the river, and the great stone quarries there and adjacent thereto, with a practically inexhaustible supply of gravel out of the bed of the stream, will, aside from farm products, supply river traffic with a tremendous amount of commerce.

In this connection attention is further called to the fact that while it may be true that roadways will be needed to the river to enable much of the lands in the bottoms to reach steamboat landings, yet it will be possible to construct such roadways at a tremendously less cost if the river can be utilized to haul the material entering into their construction than if those same materials have to be hauled by railroad and then again hauled from there by teams and wagons or trucks. In fact, one witness, Mr. H. H. Haines, then general manager of the Galveston Commercial Association and now with the Houston Chamber of Commerce, and a traffic man of long experience, stated at the hearing at Galveston in March, 1920, that if the river could be utilized to haul the road materials for construction of roads from the river through the bottom lands, that the cost of such construction would not exceed, probably, \$5,000 a mile, as against \$12,000 a mile if the haul had to be made by railroad.

Judge G. C. Clegg, of Trinity, Tex., testified his precinct had voted a \$200,000 bond issue for construction of a roadway to the river, but that the railroad freight rates on road material are so high it was impossible for them to go ahead with the work.

Mr. Woolsey, of Trinity County, another witness at the Galveston hearing, stated that if the river could be utilized it would mean a saving on hauling of gravel or shell of \$50,000 or \$70,000—referring apparently to the road bond issue testified to by Judge Clegg—and that the money for road improvement in Trinity County is lying idle now in bank on account of present prohibitive freight rates on gravel. It might be added that, irrespective of the high freight rates, it is almost impossible to even get cars to haul it.

The witnesses at the Galveston hearing particularly stressed, as I also desire to do, the fact of the great saving there will be in road construction along the river if the river is improved so that the road materials can be carried on the stream to their destination and the roadways built from the river at or along to points beyond, instead of having to carry such materials on the railroads and build from the railroads.

It seems to me, as it seems to the people of my district, that the tremendous importance and value of this difference and distinction was not sufficiently appreciated in the conclusions reached in the supplemental report with reference to the improvement of the Trinity above Liberty. There seems to be no great difference of opinion concerning the fact that some roadway must be built, though there may not be accord and agreement as to the nature and extent of the same.

But there is the gravest difference in the conclusions which have been drawn, particularly in the reexamination report, that it will be as easy to build from the river farms and bottoms to the railroad as it would be from those lands to the river. To appreciate the error of this conclusion we have only to consider the fact that 250,000 acres of the finest river bottom land is according to the supplemental or reexamination report within 1 mile of the river from Long Lake to its mouth. It is also recited in the report that the acreage in the valley nearer the river than to the railroad from Long Lake to the mouth is 1,087,100 acres, and it may be added with a growth of from five to ten billion feet of timber. It is further the testimony of substantially all the witnesses that the railroad is for the most part many miles from the river, except a short line between Livingston, in Polk County, and Weldon, in the southern part of Houston County, which is 28 miles long and runs at an average of 7 miles from the river.

Mr. D. A. Nunn, of Crockett, at the Galveston hearing, testified that the river is from 14 to 25 miles to possibly 35 miles from the railroad up in his section; that is in the section between White Rock and Hurricane Shoals. He further testified he had no lines of railroads paralleling the river, excepting at something like 14 to 30 miles. He further testified that farmers

now have to haul their cotton and drive their hogs 20 to 25 miles into Crockett, where they met the railroad.

Mr. W. L. Smithers testified that between Riverside and Long Lake it was from 15 to 20 miles in most places on the river to the nearest railroad line.

Mr. M. A. Milliff also testified that under existing conditions and from the large farms along the section of the river between Trinity and Hurricane Shoals and above, products are now being transported 15 to 35 miles by wagon. It seems unnecessary to refer to the testimony of any other witnesses, as reference to the stenographic reports of the hearings will reflect that particularly all witnesses testified to the same effect.

It will also be recalled that the original and supplemental reports, as well as the testimony, reflect that the width of the valley is only from 3 to 7 miles except at a few places. It is therefore readily apparent that the distances necessary to construct roads to the river would be far less than the distance necessary to construct roads to railroads.

In calling particular attention to the great advantage that the Trinity River enjoys in its great latent commercial resources over many other inland waterways, I do not desire to underestimate or have you to lose sight of the remarkable fertility of the bottom lands and their great productive power. Practically all the witnesses at the hearings held before you last September, and the one at Galveston, agree in stating that these lands in seasonable years will produce from three-quarters of a bale to a bale per acre, and from 40 to 60 bushels of corn, in addition to being especially adapted to the raising of the finest sugar cane. It was further testified that 20 hogs per acre can be raised each year. In this connection the board will further recall that Mr. Smithers and Mr. Nunn, I think, and others, testified that the farmers, however, to get their hogs to market had to drive them from 20 to 25 miles in the heat of summer, causing them to suffer great loss in weight and some to die on the way, and that if water transportation were available on the river hogs could be transported without any loss at all times of the year.

Mr. H. J. Arledge, of Crockett, states that he has to haul his products from his farm to Crockett, 25 miles away, at a cost of 70 cents per hundred pounds.

Messrs. Daniel and Arrington, of Crockett, state that their cost on a 25-mile haul of their products from their stream is from 65 to 70 cents a hundred pounds, while Mr. W. L. Smithers, of Walker County, testified that such estimate was entirely too low and at least \$1 to \$1.50 would be nearer a correct estimate of such cost.

This testimony is not conjectural, but is based upon the actual experience of men who own and operate farms along the river and actually transport their products the distances named in order to get to a market or the railroad.

To further illustrate, not only the tremendously high cost to which the river-bottom farmers are subjected in order to get their crops to market, but the additional impossibility in many cases of moving them at all, as will be remembered by the board to have been disclosed by the testimony at the last hearing before you. It will be recalled that in the testimony on that occasion it appeared that it took four mules to haul out from the river farms 5 bales from 15 to 35 miles to market, and that the strain on the teams is so great that they can only make two trips a week.

Testimony then further developed that due to such difficulty many of the products grown on the river farms, such as sugar cane, corn, and other grain, had either to be thrown away or fed to the hogs.

It will be further borne in mind that on the hearings the further startling fact was disclosed that it was costing from \$25 to \$30 an acre to clear the bottom land of timber so that it might be farmed, and that such timber when cut had to be burned up and destroyed because there was absolutely no way of getting it out to market in spite of its great value.

It is further to be borne in mind that efforts have been made in the past to save this timber by trying to raft it down the stream, but the logs have proven too heavy to float in most cases and in others the driftwood and snags cause the rafts to be lost and the effort to save the logs to be discontinued.

Mr. M. A. Milliff, at the hearing in September, stated in his letter that three years before he had gotten a timberman interested, and he cut several hundred logs along that section of the river and tried rafting them to the International & Great Northern Railroad at Riverside, but owing to shoals and snags and overhanging timber that grew along the river bank he lost most of his timber and all of his money.

It appears that an Indiana company installed a hardwood lumber mill on the banks of the river somewhere between

Hurricane Shoals and White Rock Shoals to manufacture timber for the construction of wagons.

Mr. D. A. Nunn, of Houston County, testified at the Galveston hearing that the man in charge of the mill told him that he was more concerned now over getting his lumber out from his mill than about anything else; that he could not truck it out and that it cost too much to haul it to Crockett, 20 miles away, by wagon; that he is still cutting lumber and stacking it, but has not shipped a plank to his factory because of lack of transportation facilities.

Mr. W. F. Bruton, of Houston County, testified that he had lately made a contract with a sawmill in that part of the country for \$50,000 worth of timber, but that the contract had a proviso that if the company could not get the lumber down the river the contract was to be null and void. That they have put about \$10,000 worth in the river about 15 miles up from the lower lock, and eventually the timber got torn loose and lost and they had to quit. That about eight months ago he also sold lumber at \$10 a tree; that the buyers cut about 75 trees and quit because they had no transportation and could not get the trees out.

Surely it is scarcely to be imagined that this great natural wealth of timber, stone, lignite, gravel, and sand, of which the world is in such great need to-day, and these remarkably fertile bottom lands, with their power to raise the greatest supply of farm products so necessary for the life of the Nation and even countries abroad—surely, I say, it can not be contemplated that they are to be abandoned when a great natural waterway is at their door offering, with some improvement, an outlet for all their great latent commerce.

Criticism is made in the supplemental report to the effect that statistics do not show that the use of the pool immediately above White Rock Shoals has been very great, being 12,143 tons for 1917, 1918, and 1919 (p. 60 of H. Doc. 989). In the first place, the question of getting accurate statistics in these localities is very difficult, as witness the showing at the September hearing of the commerce in Chambers County, which was far in excess of the Government reports, and, secondly, the pool with 6-foot depth only extends 13 miles and can serve only a most restricted territory, giving it really a distinctly local character. In fact, the bottom land adjacent thereto may all be owned by one individual or company, as seems most likely to be the case, and the marketing or manufacturing of the timber on such property may be slower than would ordinarily be the case where in the hands of more active owners. The fact, however, that one hardwood mill has already located along the banks of the pool is a very good indication that with the opening up of additional territory by extending further the improvement of the Trinity other mills and industries will also be established upon the banks of the stream.

When the development or improvement of the river is made and the reaches extended so as to give assurance of its availability for more general use, prospective mill and lumber companies and other industries will organize with the knowledge that when they engage in any enterprise on a large scale there will be a fairly dependable and reliable means of getting both to and from their plants or mills the rough and finished material.

Witness after witness at the hearings has stated that if the improvement of the river is made additional lumber mills will be built along its banks and that steamboat lines will be established and boats built, and that they will ship their products down the river and utilize the stream for the hauling of material to build their highways, and for other purposes. Such men as Mr. D. A. Nunn, of Houston County, one of the most substantial and well-to-do citizens of that community; Mr. J. W. Cochran, a banker of Polk County; Mr. G. C. Clegg, a prominent lawyer with large farming interests, of Trinity County; Mr. M. A. Milliff; and a number of other witnesses confirm this statement in their testimony.

All these citizens argue irresistibly, it seems to me, for the continued improvement of the river.

It is true that the estimates of the cost of canalization of the lower Trinity are apparently large, but again it seems as if a greater use of the river for hauling materials could be made it would reduce these estimates considerably. To do this would no doubt involve cleaning out the lower river and removing the drift and snags and some of the bars, so that at periods of high water supplies could be transported to points where construction was being undertaken.

But this cleaning out and snagging of the river should be done in any event and without delay. The consensus of opinion testified to by those who live along the stream being that they have had no dangerous overflows where such cleaning and snag-

ging has been done. Overflows, I think the engineers generally concede, have a most damaging effect upon the navigable character of the stream.

So, if you should be of the opinion that under present conditions it might not be possible to substantially reduce the estimates and that prevailing costs will not justify the adoption at this time of the proposed lower Trinity River project as a whole, yet would it not be more in line with the declared policy of Congress to sanction at least the further improvement now of cleaning, snagging, and removing bars in not only the section from Galveston to Liberty but also in some other section or sections above the coastal plain and reaching more into the heart of the lower Trinity?

The supplemental report shows that this can be done even under existing conditions at no great expense. The estimate for the total work of thoroughly snagging and removing obstruction to navigation from the mouth of the river to Long Lake was only \$438,000, and that the following estimates would cover such improvement in the following sections:

From the mouth of the river to—	
Trinity	\$255,000
Liberty	72,000
From Lock 25 (White Rock Shoals) to Lock 20 (Hurricane Shoals)	124,000

It should further be considered that the undisputed testimony of witnesses, as well as the findings of the Government engineers, shows beyond question that a thriving open-river traffic was carried on in the early days, especially from 1867 to 1878, before the advent of the railroads. Within the period named it appears there were some 44 boats, ranging from 65 to 480 tons burden, engaged in trade between the mouth of the river and as far up as Porters Bluff, and even occasionally to Dallas. One vessel is mentioned as 150 feet long and 35 feet wide, with a carrying capacity of 700 bales of cotton, from Lock Ridges Bluff. Captain Van Devender testified that in 1869 two boats were built, with a cargo capacity of 1,800 bales of cotton, plying between Magnolia, near Long Lake, and the mouth of the river. Navigation was not considered hazardous at a reasonable stage of water.

The method by which the railroads destroyed the river traffic has already been discussed, and the changed conditions to-day, with the new statutory restraints imposed upon the railroads, as well as the recently declared policy of Congress, has been cited in verification of the fact that the conclusion is erroneous that commerce, because it has once been driven from the river, will never return. Even if the report of Colonel Barden, prepared in 1916, and before the present transportation needs and problems had become so acute, and before Congress had passed the remedial legislation referred to, attention was called by him to the vast timber resources of the region and the finding made that probably eight to twelve million tons of hardwood alone was available for river shipment below Dallas; and after pointing out that hardwoods were then being marketed by water in limited amounts further expressed the conclusion that "there seems to be no reason why an increasing amount can not be handled by small towboats and barges in the open river." (Sec. 53 of report.) So it is shown that even from the standpoint of Colonel Barden that as late as 1916 there was every reason to expect a profitable open-river commerce in lumber if the stream was kept clear of obstructions.

Regarding the improvement from the mouth to Liberty, the testimony shows in the most cogent way not only the value but the necessity of this part of the waterway to that section.

In fact, Judge C. N. Smith, the county judge, Liberty County, in testifying before the district engineer at Galveston on the hearing, stated that the county had experienced much trouble in securing transportation of material for roads both before, during, and since the war, and though an effort was made to utilize the Trinity River for hauling shell, boats could not get by the bar 3 miles below Trinity. This compelled the county to bear an enormous expense of hauling road material by railroad, and other tonnage as well. He estimated that the saving on the cost of transportation of shell by water would have been at least two-thirds of the rail rate. Liberty County, as stated, is now about to spend \$2,000,000 for new roads and should be allowed to use that river to save on transportation costs by railroad.

Mr. J. F. Richardson, one of the county commissioners of Liberty County, also confirmed this statement and pleaded for relief.

It will also be remembered that on the hearing last September Judge Gordon, for the Anahuac Canal Co., stated that nearly 50,000 acres of rice were in cultivation in Liberty and Chambers Counties, which would make at least a half million sacks,

worth, at the then market quotation, nearly \$5,000,000, the bulk of which would have to be shipped by water.

The Robertson-McDonald Lumber Co. stated that the approximate tonnage of rice alone passing in and out of Anahuac Channel was from two hundred and fifty to three hundred thousand sacks per year, weighing from 180 to 200 pounds; also, that the lumber from their sawmill in Chambers County, located on Turtle Bayou, approximates from twelve to fourteen thousand tons per year that goes by barge in and out of the channel.

The Peden Iron & Steel Co., of Houston, stated that they have shipped a large quantity of material by water to Anahuac, Moss Bluff, and Wallisville, on the Trinity, and to Turtle Bayou, of an estimated annual value of \$400,000.

The Mays Cattle Co., of Wallisville, in a most excellent and detailed statement, stated that by reason of failure to have water transportation for their herds, which ran between four and five thousand head, that they had to drive their live stock some 20 miles overland to either Liberty or White's ranch in order to obtain rail transportation. Calling attention to the fact that a twelve hundred pound steer loses two or three hundred pounds on such a drive; that if the Trinity were made navigable the cost of transportation would be cut fully 50 per cent in long drives for cattle, and little or no shrinkage; for in three hours they could be in Liberty and ship by rail from there; in 5 hours reach Galveston, and in 10 hours be in Houston; that under present conditions it takes between two to five days to get stock to a shipping point and another day or two before it reaches market.

It was also stated that they had about 20 clamshell banks on the river. In 1917 they contracted and sold 50,000 yards, but the contractors have been unable to haul it to market because channels have been clogged with snags, and so forth.

That opposite the village of Wallisville they have a large sawmill building located near reach of river bank with only machinery yet to be installed. A number of pieces of machinery have been purchased, and company will commence operations as soon as some definite assurance is given that river will be made navigable so they may ship upstream to Liberty or down to Galveston.

If this is done they estimate that they will ship per month, of beef, 500,000 to 1,000,000 pounds; pork, 75,000 to 100,000 pounds; hay, 5,000 to 10,000 bales; corn, 10,000 to 25,000 bushels; lumber, 10,000,000 feet; shell, 3,000,000 to 5,000,000 cubic yards.

Only recently the shoaling of the channel in Turtle Bayou, Chambers County, threatened to cause the gravest injury to the rice crop of the county, because such a large portion of the crop has to be transported to market through that channel, thence through Anahuac Channel and through Galveston Bay. There are no railroads in Chambers County except in the extreme southern portion of the county, and the roads are frequently so bad as to be impassable for wagons or trucks.

The rice crop planted in this county this year is estimated about 40,000 acres and will run conservatively about 10 sacks to the acre. The same estimate may be made of the rice crop in Liberty County, with a value now of about \$3.75 per sack.

In view, therefore, of the remarkable showing of commerce available along this river, which is absolutely dependent upon it for an outlet, if it is to be moved at all, and in view of the declared policy of Congress to preserve, foster, and develop in full vigor the inland waterways of this country, and of the collapse of the railroad transportation system, the alarmingly high freight rates, the distressing situation confronting the industrial, business, housing, and public interests of the country by reason of inability to secure material for building and highway purposes, and the maximum need in general for inland waterways, especially for one with all the natural resources and wealth of material and farm products presented in the case of the lower Trinity River, I submit the improvement ought not to be abandoned, and that no report or recommendation to such effect should be made; but that, instead, the proposed project of the lower Trinity ought to be approved, and if not deemed wise to do so now in its entirety, in view of prevailing costs, yet ought to be done in sections.

A start, at least as recommended from the mouth on up to Liberty, ought not only to be made but the removal of obstructions in the rest of the lower river should be undertaken for all the reasons heretofore stated.

To illustrate how much this waterway improvement is needed, as well as showing its condition in November last, I quote part of a letter received then from one of my constituents, Mr. R. McDonald, who is a most worthy and excellent citizen. He said:

MY DEAR JUDGE: It has not rained on the watershed of the Trinity River in three months, so that the water would run in the branches, and as a consequence everything is drier than I have ever seen it, except twice, in 1860 and during the last war, and still the water is

20 feet deep and running over the gates at the lock and dam on the river just below town and raises the water 4 feet deep 25 miles above the dam, and still the Congressmen claim that the river can not be made navigable. To show that we need it, there was a man the other day that had to pay \$72.60 freight on a carload of railroad ties from Carlisle, 11 miles down on the B. & G. N. R. R., to Trinity.

The flooded condition of the Trinity River and the overflows which have produced such distressing conditions not only call for the earliest relief for those who have suffered so keenly through the devastation of the river waters but demonstrates also that the stream is not a small waterway of insignificant character, but is a river of size and power, which, if properly developed, even through open channel work, by removing the snags and bars, cutting off bends, and clearing the stream generally, would afford relief from high rail transportation costs and supply the territory along such river and commerce generally, with cheap and yet efficient transportation by water which is a natural carrier, and which carrier deserves to be further developed.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

The Clerk read as follows:

Pier in Delaware Bay near Lewes, Del.: And the Secretary of War is hereby authorized to dispose of the pier and such rights as the Government possesses in the land and the abutments thereof at public or private sale.

Mr. LAYTON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Delaware offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LAYTON: Page 9, strike out all of lines 10, 11, 12, and 13.

Mr. LAYTON. Mr. Chairman, this amendment is offered after full consultation with and approval of the chairman of the committee. This pier was constructed in 1872, just inside of Cape Henlopen, when it was contemplated to make it a point for ocean traffic by connecting the Pennsylvania Railroad with it; but the Pennsylvania Railroad never connected with this pier, and the pier has been allowed to decline, until to-day it is practically not usable. At first it was thought proper to give the pier and the abutting land to the town of Lewes. Later it was considered to be the proper thing to put the pier up at public sale and dispose of it to any private parties who might want to buy it, and with that thought in view I had this paragraph incorporated in the bill. But recently I got in touch with some mercantile, financial, and maritime interests there who desired to have the matter remain in status quo until they had an opportunity to make arrangement whereby they might either obtain the assistance of the Government in putting the pier in repair or else make financial arrangements to buy it in case it is disposed of at public sale hereafter.

Mr. McLAUGHLIN of Michigan. Will the gentleman yield?

Mr. LAYTON. Yes.

Mr. McLAUGHLIN of Michigan. Has there been an investigation and a report by the Corps of Engineers?

Mr. LAYTON. Yes.

Mr. McLAUGHLIN of Michigan. And does that corps recommend the abandonment of this work and the sale of the property?

Mr. LAYTON. Absolutely. But I will say that there is no disagreement between General Taylor and myself or the members of the committee specially interested in it, because before I offered this amendment I put the matter up to General Taylor, and he said he would be perfectly satisfied to let the matter remain in status quo until the next session of Congress.

Mr. McLAUGHLIN of Michigan. It is not the intention of the gentleman, then, to offer an amendment providing an appropriation or directing the expenditure of money on this work?

Mr. LAYTON. Absolutely not. There is no such intention here, nor, as I understand it, in any other body.

Mr. DEMPSEY. Will the gentleman yield?

Mr. LAYTON. Yes.

Mr. DEMPSEY. This matter was presented to this committee. It is simply the question of the abandonment of a pier. It was thought at one time that we should abandon it, but after consultation with the Chief of Engineers it was deemed best to leave this item out of the bill altogether.

Mr. LAYTON. Just one other thought. The people in interest there—the transportation interests, the pilot interests, and all of those who are interested in transportation and navigation on the Delaware River and Delaware Bay—have been to me, and they say this is the best place for a pier there is in that vicinity, the reason being that it is close under the lee of Cape Henlopen, and therefore is protected largely in

wintertime and in early spring against the ice, and at other times against certain winds of a dangerous character and ocean currents.

Mr. GRAHAM of Illinois. Will the gentleman yield?

Mr. LAYTON. Certainly.

Mr. GRAHAM of Illinois. The gentleman has forgotten one of the best recommendations for this pier, and that is that there is good fishing off of it.

Mr. LAYTON. Yes; the gentleman and I found that out last summer when we caught many trout weighing from 3 to 7 pounds.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Delaware.

The question was taken, and the amendment was agreed to. The Clerk read as follows:

SEC. 5. That the Secretary of War be, and he is hereby, authorized and directed to construct six seagoing hopper dredges for use in improvement and maintenance work on authorized projects on the Atlantic, Pacific, and Gulf coasts, the said cost of said dredges to be paid from appropriations heretofore made, or to be hereafter made, for the preservation and maintenance of existing river and harbor works, and for the prosecution of such projects heretofore authorized as may be most desirable in the interests of commerce and navigation: *Provided*, That the limit of cost of each of the dredges herein authorized shall not exceed the sum of \$750,000.

Mr. ROACH. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 10, line 8, strike out lines 8, 9, 10, 11, and 12, including the word "navigation," line 13.

Mr. ROACH. Mr. Chairman and gentlemen of the committee, I hope you will realize the importance of the adoption of this amendment. To my mind, this raises sharply the issue whether or not we are going to invade the fund of \$42,815,666 which we recently appropriated for river and harbor work. If I correctly understand this section as it is written now, the money necessary to construct these six seagoing hopper dredges is to be taken out of the fund which we recently appropriated for river and harbor work. In other words, it will mean that there will be taken out of this fund a total amount of \$4,500,000 to pay for these six dredges. I want to remind you that at the time we had the appropriation up it was shown satisfactorily and conclusively that \$42,815,666 was the minimum amount necessary to carry on the work on the projects that had been approved and were under construction in this country. I have no objection whatever to the construction of the six seagoing dredges provided for in this section, but I do strenuously object to taking the money out of the fund appropriated and necessary to carry on river and harbor work, because that appropriation was wholly inadequate and was the minimum amount deemed necessary.

It will be recalled that the Bureau of the Budget only recommended for rivers and harbors \$13,500,000. When the matter of the inadequacy of that amount was brought to the attention of the committee the amount was increased to twenty-seven million and some hundred thousand dollars, and then here on the floor of the House we increased that amount to \$42,815,666, and it was shown by the most satisfactory evidence that every dollar of that amount would be required and that such sum was the minimum amount necessary to carry on the work. Now, are you going to take \$4,500,000 of that fund at this time? If not, adopt this amendment, and that will simplify the matter, and we will preserve the fund intact.

Mr. LAYTON. Will the gentleman yield?

Mr. ROACH. Yes.

Mr. LAYTON. The gentleman will remember that the Board of Engineers recommended \$62,000,000 to be appropriated.

Mr. ROACH. Yes; as a matter of fact \$62,000,000 was much nearer the figure actually needed than the sum we appropriated. I expect to vote for this bill, but I do not want to take the money to pay for these dredges out of that fund, which will mean that the improvements of the rivers will suffer to that extent and be deprived of that amount next year when they are entitled to all the fund, and it ought to be kept intact for the purposes for which we appropriated it.

Mr. DEMPSEY. Mr. Chairman and gentlemen, the gentleman from Missouri is entirely correct in saying that the evidence before the Committee of the Whole when we appropriated \$42,815,000 for the improvement of rivers and harbors was needed, and he is correct in saying that that was the minimum amount. The gentleman, however, I think, will agree with me after I have made the explanation that, by the adoption of this provision as it is, we will not invade or lessen the appropriation of the \$42,815,000, but that we will make it go further than it would go otherwise. There is no way of getting the dredges except in the way provided by this bill. We are not going to get any special appropriation through Congress for the dredges

this year. We are not going to get authority for the appropriation unless it is carried in this bill. These dredges will save \$50,000 apiece each year. They will do more work and they will do what work they do at a less cost. There has been an enormous advance in the construction of dredges. The dredge of to-day is no more like the old dredge than the locomotive to-day is like the old locomotive 30 years ago. If we can get the dredges they will make the \$42,000,000 do more work—every dollar do the work of \$1.50 or \$2 all over the United States. If you adopt the amendment you will not get the dredges but you will go on with the old dredges and do the work at an increased cost, and your \$42,000,000 will not go as far as it will if you accept this provision and get the new dredges to do the work.

Mr. ROACH. Will the gentleman yield?

Mr. DEMPSEY. Certainly.

Mr. ROACH. The cost of the dredges were not included in the estimates furnished by the War Department.

Mr. DEMPSEY. Yes; they were.

Mr. ROACH. As I recall it, the estimates that went to make up the total of \$42,000,000 did not contain a single item for a dredge.

Mr. DEMPSEY. We have had the question of dredges up not only this year, but for two or three years. This is the first time we are near getting them. I want to say that I sympathize with the gentleman; I am in the same attitude he is. I want this money to go for rivers and harbors, because it is badly needed. But we are going to do better for rivers and harbors by passing this section as written in the bill than we will if we adopt the gentleman's amendment.

Mr. ROACH. I can not understand the gentleman's sympathy when he takes the money that might be used on the rivers in my country and builds dredges to be used on the Atlantic and Pacific Oceans.

Mr. DEMPSEY. Dredges are used everywhere—in rivers just as well as in harbors.

Mr. ROACH. These dredges, it is expressly provided in this bill, shall be used on the Atlantic and the Pacific Oceans.

Mr. DEMPSEY. But when you save \$50,000 a year by the use of each of these dredges that \$50,000 is going to remain in the general fund, to be expended for the rivers as well as for the harbors, and it is in the interest of economy that we have them. They will pay for themselves in a short time. It is absolutely the worst kind of extravagance and inefficiency and waste to continue the use of these old, worn-out, inadequate, obsolete dredges that we have.

Mr. ROACH. Does the gentleman realize that if we expend this money in this way some rivers and harbors are bound to suffer from a depletion of the appropriation which we make in paying for these dredges?

Mr. DEMPSEY. No; I think, on the other hand, we will have more money by adding these new dredges; that we will get more out of the \$42,000,000 after subtracting the \$4,000,000 for these dredges.

Mr. ROACH. I would like to have them, but I do not want to pay for them out of the \$42,000,000.

Mr. DEMPSEY. I think what the gentleman wants will be accomplished better in the way that I suggest.

Mr. COOPER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. DEMPSEY. Yes.

Mr. COOPER of Wisconsin. There are a great many projects which have been partially completed.

Mr. DEMPSEY. Yes.

Mr. COOPER of Wisconsin. Some of them adopted 10 or 12 years ago.

Mr. DEMPSEY. Yes.

Mr. COOPER of Wisconsin. The Chief of Engineers reported, as I understand it, and I think the gentleman from Missouri [Mr. ROACH] is correct in his statement, that the \$42,000,000 was necessary to complete the projects which had been adopted.

Mr. ROACH. To carry on, not to complete them.

Mr. COOPER of Wisconsin. Necessary to carry on the work. I will say to the gentleman from New York that this morning I was at the office of the Chief of Engineers, and I talked the subject over with him, not, however, having in mind the issue which the gentleman from Missouri has made by his proposed amendment. I asked him about the \$42,000,000, and he said that that was the minimum amount that ought to be appropriated in order to properly carry on the work for projects already adopted.

Mr. DEMPSEY. That is true.

Mr. COOPER of Wisconsin. He told me that this morning. Let me ask the gentleman from New York this question.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. DEMPSEY. Mr. Chairman, I ask unanimous consent to proceed for three minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. COOPER of Wisconsin. If the Chief of Engineer's report on \$42,000,000 was the minimum amount necessary to carry on the work properly on unfinished projects—

Mr. DEMPSEY. But that is not what he reported.

Mr. COOPER of Wisconsin. That is what was said here on the floor.

Mr. DEMPSEY. Oh, no; the estimates of the Chief of Engineers were in writing, submitted to the committee in writing, and they included, if the gentleman from Wisconsin will permit, the dredges which are provided for in this bill. That entered into the \$42,000,000. I think the \$42,000,000 is the minimum amount. I quite agree with the gentleman from Missouri [Mr. ROACH], but I do not think the gentleman from Wisconsin got the point I made with the gentleman from Missouri. The testimony of the Chief of Engineers before our committee shows that each of these dredges would save about \$50,000 a year and that we would do more work and do it infinitely faster. It is in the interest of commerce not alone to economize but to expedite the work.

Mr. COOPER of Wisconsin. There are very many of these projects which are unfinished, which do not require the use of a dredge at all for their completion, such as the building of breakwaters.

Mr. DEMPSEY. I think the gentleman will find that 95 or 97 per cent of the work will require the use of the dredges. I do not think there is more than 3 or 5 per cent in the other category.

Mr. COOPER of Wisconsin. What I have in mind is the completion of an arrowhead harbor improvement. It is the making of the last link, the putting in of cribs, and the dredges that they have can do that work.

Mr. DEMPSEY. They dredge for that work. There is no work that can be done practically in an improvement of a harbor without the use of dredges. This is really as important almost as anything else in the bill.

Mr. COOPER of Wisconsin. Why did not the gentleman from New York include that in the original \$42,000,000 appropriation?

Mr. DEMPSEY. I had that in view, and I made a very hard fight for the \$42,000,000.

Mr. COOPER of Wisconsin. Why did not the gentleman insert in that a provision taking \$4,000,000 and over of the \$42,000,000 for the purpose of these dredges?

Mr. DEMPSEY. Because the Chief of Engineers in the estimates he has submitted had included an estimate for these dredges.

Mr. ROACH. Was that in the \$62,000,000 estimate or in the \$42,000,000 estimate?

Mr. DEMPSEY. I think it was in both. My sympathy was with the larger amount.

Mr. ROACH. I know the gentleman's sympathy was with us.

Mr. DEMPSEY. But I realized fully that the \$42,000,000 was all that the condition of the country or the temper of the House would stand.

Mr. ROACH. The gentleman has made the statement here that the cost of these dredges was included in the \$42,000,000.

Mr. DEMPSEY. That is my understanding. I am quite clear about it.

Mr. ROACH. The gentleman asserts that to be the fact?

Mr. DEMPSEY. Yes. That is my recollection. I will send out for the report, if the gentleman desires.

Mr. ROACH. I do have very serious doubt in my mind whether the estimates provided for six dredges, and in that connection the gentleman stated we would not get these dredges unless we carried an appropriation. Why can not we write in this bill an appropriation for \$4,500,000 for these dredges? We have the votes in the House to carry it; we have them over in the Senate, so why mince matters, why not get the \$4,500,000? We need it.

Mr. DEMPSEY. Because this is not an appropriation bill.

Mr. ROACH. We can authorize an appropriation, can we not?

Mr. DEMPSEY. But you will not get an appropriation, and if you leave it as it is, you will get the appropriation and the dredges.

Mr. ROACH. I want to have the dredges on the Atlantic and on the Pacific coast, but that is not going to do the middle West and the Mississippi States any good—

Mr. DEMPSEY. It is going to save money, and it is—

Mr. ROACH. By taking the money that would otherwise go to improve our rivers and harbors and build these dredges.

Mr. McDUFFIE. Mr. Chairman, I will say for the benefit of the gentleman from Missouri that on page 101 of the estimates, in which various items are included going to make up the \$42,000,000, you will find the first item—I have not read the whole list—is for four seagoing dredges on the Atlantic coast at \$3,000,000, and is included in the \$42,000,000.

Mr. ROACH. How many?

Mr. McDUFFIE. Four, to cost \$3,000,000.

Mr. ROACH. This bill provides six, to cost \$4,500,000.

Mr. DEMPSEY. If the gentleman believes we should not have six I would rather see two of them cut out than to be left with all these old dredges. I think it would be entirely wrong not to do that. In the estimate of \$42,000,000 four are provided for only, and here are six provided. We are going to economize; we are going to do this work faster on your rivers with these new dredges.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ROACH. Mr. Chairman, this is an important item, and I ask unanimous consent that the gentleman may have five minutes additional.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. ROACH. Since it happens that the \$3,000,000 was included in the \$42,000,000 estimate for four dredges, is the gentleman willing to have this bill amended to conform with the estimate for the four dredges instead of six?

Mr. DEMPSEY. I think it would be a serious mistake made if it were done.

Mr. ROACH. The gentleman can see what it would mean—that we would lose \$1,500,000, which we will do unless we limit the number of dredges to four.

Mr. DEMPSEY. I do not think it will. I think we will make good progress by it. One of these dredges will do as much work in one day as the old-fashioned dredge would do in three or four days, and one will excavate material at a dollar where it will cost with the old dredge \$1.50 to \$2. Now, we want every one of these dredges, we need them every one, and the men who are in favor of river and harbor improvements, and who need river and harbor improvements, should know that we need modern tools. You want modern tools with which to work, you want the tools that will accomplish the most for the money.

Mr. ROACH. What I want and what I get may be two different things. The gentleman is bound to admit that unless we cut the number of dredges down to the four dredges included in the estimate there is going to be \$1,500,000 shortage.

Mr. DEMPSEY. No; I do not admit it.

Mr. ROACH. Somebody is going to lose \$1,500,000, and who is it going to be? I predict it will be the inland rivers on the bottom of the list.

Mr. DEMPSEY. No; the gentleman does not understand that by the improved dredges we are going to save money; we are going to save money by the use of these dredges.

Mr. ROACH. I can see that the \$42,000,000 is not enough to go around if this amount is included in the items provided for in the appropriation; I can see that very plainly.

Mr. McDUFFIE. May I suggest that the \$1,500,000 is not going to be taken from this item, but if the gentleman will examine he will find in the estimate in many districts a certain amount is always expended for the construction and repair work on dredges and tools with which the engineers have to work.

Mr. DEMPSEY. Of course.

Mr. McDUFFIE. Some of these dredges are 20 years old; they have deteriorated and—

Mr. DEMPSEY. And it means waste to endeavor to use them.

Mr. COOPER of Wisconsin. Will the gentleman permit a question?

Mr. DEMPSEY. The gentleman from Alabama has very well stated—I stated it in a general way, but the gentleman was more specific—that every year on every kind of work there is so much expended for repairs for dredges, and you want your work done with the very best dredge you can get.

Mr. ROACH. The gentleman wants to be fair in his discussion. These dredges are not to be used on any river—

Mr. DEMPSEY. The gentleman does not follow my argument.

Mr. ROACH. But they will be used on the Atlantic and Pacific. They are seagoing dredges.

Mr. DEMPSEY. The gentleman did not follow my argument.

Mr. ROACH. I am sorry I did not follow the gentleman's argument. It is my way of looking at this bill.

Mr. DEMPSEY. What I said was that in every great project each year there are sums of money expended in improving the tools with which the work is done. That will be true out in the gentleman's country just as well as it will be in the use of these two additional dredges to which he refers.

Mr. COOPER of Wisconsin. It is a fact, is it not, that in this bill you propose to authorize the construction of two more dredges than the Chief of Engineers suggested? He suggested that out of that \$42,000,000 there should be four more dredges constructed at a cost approximately of \$3,000,000.

Mr. DEMPSEY. Yes.

Mr. COOPER of Wisconsin. This committee now proposes, after we passed it and settled it—

Mr. DEMPSEY. The committee does not propose at all. The committee has not proposed anything here except upon a report made, first, by the district engineer, next by the Board of Engineers, and next by the Chief of Engineers, and we have acted only in accordance with favorable reports. Then, after all that was done, we did not take the report. We have not relied upon it alone, but we have called before us the assistant to the Chief of Engineers. We have examined him at length and we have found out that instead of needing, and needing badly, as they supposed at the time they made the estimate for the \$42,000,000, only four dredges, they needed six. They told us where they needed them and why they needed them. They convinced the committee, and the committee was unanimous in finding that not only were they necessary but that securing them would be in the interest of economy and efficiency in completing these projects, such projects as the gentleman has on the Great Lakes, which are as worthy as any projects in the world. There is nothing that will result in doing the work better or more efficiently and at less cost than to provide these modern dredges. And I am sure the gentleman will be convinced of that if he reads the hearings.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COOPER of Wisconsin. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. COOPER of Wisconsin. Mr. Chairman, I agree with the gentleman from Missouri that to bring in this provision at this time is bad policy. Originally the Chief of Engineers submitted a report recommending \$42,000,000 of an appropriation as a minimum amount which could be properly appropriated, and that sum of \$42,000,000 included \$4,000,000 to be used to construct three dredges. The House passed that bill with that understanding of its provisions, based upon the recommendations of the Chief of Engineers. The chief had had a year in which to make up his report. That bill went over to the Senate some weeks ago. But now comes in this committee with a bill proposing to take out of the \$42,000,000—

Mr. ROACH. Let me make a suggestion at that point.

Mr. COOPER of Wisconsin. I would like to finish my sentence, and then the gentleman can interrupt me and explain.

It proposes to take out of that \$42,000,000, besides the \$3,000,000 which the engineers recommended to be taken out of it for the purpose of constructing four dredges, an additional sum of more than \$1,000,000 for the construction of two more dredges, thus making a total of six dredges. The gentleman from New York has said that his committee has in mind specific projects where these six dredges are to be used. Now, that raises the exact point in this controversy. Gentlemen who have projects that have waited for years and which ought long ago to have been completed, see now an attempt made, after that appropriation has gone to the Senate, to take a million and a half of dollars, or approximately that sum, from projects that do not need new dredges and put it onto somebody's projects which do need new dredges. We think that under the circumstances, Mr. Chairman and gentlemen, that ought not to be done by this House.

Mr. ROACH. Will the gentleman yield?

Mr. COOPER of Wisconsin. Yes.

Mr. ROACH. I want to call the gentleman's attention to the further fact that it costs considerable money, no doubt, to operate these large dredges which are provided for in this bill, and if these two extra dredges are built it will further invade this fund of \$42,000,000 to operate those two dredges that were not taken into account in the estimate submitted to us by the Chief of Engineers in the \$42,000,000.

Mr. COOPER of Wisconsin. I do not understand, Mr. Chairman, that the Chief of Engineers has ever issued or filed or sent to the House or submitted anywhere an official report in anywise modifying the recommendations in his annual report,

which he had a year to consider before submitting and which provided only four dredges out of that \$42,000,000, at an expenditure of approximately \$3,000,000.

Mr. DEMPSEY. If the gentleman please, first, it has not been stated by anyone they were intended for any particular work, but to be used at every place where they were needed.

Mr. COOPER of Wisconsin. I understand what the gentleman said. I think the Record will show he did say they had in mind specific projects.

Mr. DEMPSEY. I did not say that.

Mr. COOPER of Wisconsin. If that was not so, how did you come to arrive at a conclusion that two more were needed? If you had not in mind certain projects, what made you think two more were needed than the engineer had recommended?

Mr. DEMPSEY. I did not think about it at all. I am reading from the testimony on page 86 and page 87. Six dredges were recommended. It was not the thought of any member of the committee or of the chairman. It was the thought of the engineers. The gentleman from Missouri—

The CHAIRMAN. The time of the gentleman from Wisconsin [Mr. COOPER] has expired.

Mr. DEMPSEY. Mr. Chairman, I ask unanimous consent that the gentleman have two minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. DEMPSEY. If the gentleman from Missouri has any doubt as to the operation of the dredges, I find on page 86 of the testimony—and I will send the gentleman a copy of it if he has not seen it—that the steel dredge will excavate 20,000 yards in the same time that the old-fashioned dredge will excavate—

Mr. ROACH. If the gentleman please, I never raised any question as to that or disputed the value of these dredges. They are extremely valuable. I wish we were able now to include a hundred of them in this bill, and I wish we had the money to pay for them, and I wish we had some of them now out on the Missouri River.

Mr. DEMPSEY. The gentleman suggested that the price of the two additional steel dredges would come out of this amount. I wanted to call his attention to this fact—that where you get 20,000,000 yards from the new type of dredge and only 5,300,000 yards from the old dredge, there is a manifest advantage in having the new type. General Taylor says this, in answer to a question of the chairman:

The CHAIRMAN. Now, what would be the relative cost to-day of these two dredges, the modern steel dredge and one of these old-fashioned small wooden dredges?

General TAYLOR. A wooden dredge of the same size to-day would cost almost as much as the steel dredge.

I thought that referred to operations also, but the cost of operation is away out of proportion as between the two dredges, as well as the results.

Mr. ROACH. And generally the machinery of these new dredges is more costly than that of the old dredges. The point I was trying to impress on the gentleman was this, that we have only \$42,000,000 for rivers and harbors, and if we go into that \$42,000,000 for two extra dredges and the expense of operating them and paying for the high-priced engineers and machinists we shall so reduce the \$42,000,000 that the rest of the country will not get any of it.

Mr. DEMPSEY. The gentleman from Wisconsin [Mr. COOPER] suggested that there was no report submitted by the Chief of Engineers. In answer to that I beg to hand to him a report dated May 5, 1921, in which an estimate is made for six seagoing hopper dredges, at a cost of \$750,000 each, amounting in the aggregate to \$4,500,000, so that it is not any new thought, it is not anything that has been injected since the passage of the \$42,000,000 appropriation.

The CHAIRMAN. The time of the gentleman from Wisconsin has again expired.

Mr. COOPER of Wisconsin. Mr. Chairman, I would like to have two minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. LAYTON. Mr. Chairman, will the gentleman yield there for a question?

Mr. COOPER of Wisconsin. Mr. Chairman, in reply to the last statement of the gentleman from New York [Mr. DEMPSEY], the chairman of the committee, I direct attention to the fact that he says there are to be six seagoing dredges purchased, at a cost of \$750,000 apiece.

Mr. DEMPSEY. That is what the bill provides. That is in the bill. There is nothing uncovered and nothing that is in the nature of a nightmare.

Mr. COOPER of Wisconsin. I was not saying that it was "a nightmare." But none of these seagoing dredges will be used in the rivers or inland harbors of this country. They will be used only where seagoing dredges can be advantageously used, and it strikes me that it will subtract about a million and a half dollars of money from the funds that otherwise would be used for the completion of inland projects long delayed, and which in the original report of the Chief of Engineers were said to deserve early completion.

The CHAIRMAN. The time of the gentleman from Wisconsin has again expired.

Mr. LAYTON. Mr. Chairman, I move to strike out the last two words, or I make whatever motion necessary to obtain time.

The CHAIRMAN. The gentleman from Delaware asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. LAYTON. I may not need that much.

Mr. Chairman, as a matter of fact, did it not come out in the hearings that General Taylor said that in all probability, before the six dredges could be constructed, there would be a material reduction in the cost of them by reason of the decline in the prices that has taken place?

Mr. DEMPSEY. That is my recollection, that he said that the cost of machinery of this kind was constantly declining. I will say also to the gentleman from Missouri [Mr. ROACH] that it is my understanding that only a few of these dredges will be completed in the fiscal year. I do not think we can build even four of them, which are estimated for, in the \$42,000,000.

Mr. ROACH. I have no doubt that is true, but the only way I knew of getting at it would be to adopt my amendment, or some similar amendment, to protect this \$42,000,000 fund.

Mr. DEMPSEY. I think the general object contemplated is exactly what the figures provided.

Mr. ROACH. The gentleman cited a statement that \$3,000,000 would be needed.

Mr. DEMPSEY. General Taylor estimated that for these dredges.

Mr. ROACH. But that is not in the estimates on which this \$42,000,000 was based. That is a matter that came up in the hearings.

Mr. DEMPSEY. No.

Mr. ROACH. Did it not come up in the hearings?

Mr. DEMPSEY. It is in a report made May 5, 1921, which I hold in my hand.

Mr. NEWTON of Missouri. Mr. Chairman, will the gentleman yield?

Mr. DEMPSEY. Yes.

Mr. NEWTON of Missouri. In fact, the six dredges were included in the \$63,000,000 estimated as necessary, and when that amount was cut down they cut out two of them.

Mr. DEMPSEY. Yes.

Mr. ROACH. If they cut down the estimates from \$63,000,000 to \$42,000,000 and estimated for dredges, they should cut down on the dredges here.

The CHAIRMAN. The time of the gentleman from Delaware has expired.

Mr. McDUFFIE. Mr. Chairman, I offer a substitute.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Alabama.

The Clerk read as follows:

Amendment offered by Mr. McDUFFIE as a substitute for the amendment offered by Mr. ROACH: Page 10, line 8, after the word "of" insert "four of."

Mr. McDUFFIE. I think, gentlemen, that this substitute will absolutely meet the objections raised by the gentleman from Missouri [Mr. ROACH]. However much I think the bill should be passed as it is written, yet in order to meet his objections I prepared that amendment, which makes the paragraph read so that of these dredges which, as has been shown, were included in the estimate of the engineers, only four will be paid for out of the \$42,000,000.

Mr. DEMPSEY. May I ask the gentleman this question?

Mr. McDUFFIE. Yes.

Mr. DEMPSEY. Just read your bill and see how the other two would be paid for. These dredges must be paid for out of appropriations either already made or to be made hereafter.

Mr. McDUFFIE. Yes.

Mr. DEMPSEY. The way the gentleman's amendment is worded is to cause four of the dredges to be paid for out of the appropriations already made or hereafter to be made. How are the others to be paid for? There is your difficulty.

Mr. McDUFFIE. Why not eliminate it?

Mr. BRIGGS. Will the gentleman yield?

Mr. DEMPSEY. Yes.

Mr. BRIGGS. As I understand the amendment, four of the dredges are to be paid for out of the appropriation heretofore made and the two remaining dredges are to be paid for out of the appropriation to be made hereafter.

Mr. DEMPSEY. The difficulty is that the appropriation has not yet been made. We have passed it in the House, but it has not passed the Senate. It will have to come back to conference, and when it becomes a law then the appropriation will be made.

Mr. McDUFFIE. I thought I was meeting the objection of the gentleman from Missouri [Mr. ROACH] in offering the amendment.

Mr. DEMPSEY. That was a very good intention, but I do not think it meets the objection. Let us find out what the committee want to do.

The CHAIRMAN. The question is on agreeing to the substitute.

Mr. McDUFFIE. I withdraw the substitute.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to withdraw the preferential motion to amend. Is there objection?

There was no objection.

The CHAIRMAN. The question is on the amendment of the gentleman from Missouri [Mr. ROACH] to strike out lines 8 to 13, down to the word "navigation."

The question being taken, the amendment was rejected.

Mr. ROACH. Mr. Chairman, I offer another amendment, in line 5, after the word "construct," by striking out the word "six" and inserting the word "four."

The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ROACH: Page 10, line 5, after the word "construct," strike out the word "six" and insert in lieu thereof the word "four."

Mr. McLAUGHLIN of Michigan. Mr. Chairman, in my judgment this section is not necessary at all. It is evident that it is not, from the fact that the Corps of Engineers have included in their estimates the cost of building dredges, and having some knowledge of the work of the engineers on the harbors of the Great Lakes, I am under the impression that costs of boats and other paraphernalia necessary for the use of the engineers in the construction and maintenance of harbors and in carrying on of their work of all kinds are often, if not always, paid for out of the appropriation for the work, and that such use of money is made without any authorization whatever for the construction of boats.

Mr. DEMPSEY. No new dredge is ever paid for in any such way.

Mr. McLAUGHLIN of Michigan. In what way?

Mr. DEMPSEY. Out of the ordinary appropriation.

Mr. McLAUGHLIN of Michigan. I beg the gentleman's pardon.

Mr. DEMPSEY. The gentleman can beg my pardon, but he is all wrong. That is the only trouble. It does not change the situation any to beg my pardon.

Mr. McLAUGHLIN of Michigan. I am not wrong. I have knowledge of discussions as to the use of money for harbors on the Great Lakes, and I remember the position the engineers took. I remember the determination they made and their methods of expenditure of money.

Mr. DEMPSEY. So have I.

Mr. McLAUGHLIN of Michigan. I know something of the uses made of money appropriated for harbor work, all properly used, but each use not particularly set out in the law.

Mr. COOPER of Wisconsin. I move to strike out the last word.

The CHAIRMAN. The gentleman is recognized in opposition to the amendment.

Mr. COOPER of Wisconsin. Mr. Chairman, my objection to this provision increasing from four to six the number of dredges to be built arises out of this state of fact: When the bill making appropriations for rivers and harbors was passed by the House some weeks ago, the House, by a large majority, passed the bill containing the provision for \$42,000,000.

Mr. ROACH. Will the gentleman yield right there?

Mr. COOPER of Wisconsin. Yes.

Mr. ROACH. I think the gentleman misunderstands my amendment. My amendment reduces the number of these dredges from six to four, four being the number carried in the estimates of General Beach, making up the total of \$42,000,000.

Mr. COOPER of Wisconsin. I moved to strike out the last word. I did not rise to oppose the gentleman's amendment. I rose in support of his amendment.

Mr. ROACH. Very well.

Mr. COOPER of Wisconsin. I am in favor of the amendment. I am opposed to the provision in the bill; because when we passed that appropriation of \$42,000,000 for river and harbor improvements a few weeks ago, the understanding in the minds of all who understood anything at all about the bill was that that sum was to include work absolutely necessary to complete projects already adopted, and which ought to have been already completed. There was not a suggestion of the completing of six dredges or the taking of any part of that \$42,000,000 to build the extra two dredges. To build seagoing dredges for use on the Atlantic, Pacific, and Gulf coasts will cost \$750,000 each, which will absorb so much money that otherwise would have been used for the improvement of harbors on the Great Lakes and of the rivers throughout the country. But this provision for six dredges is exclusively for the benefit of the great harbors on the Atlantic, Pacific, and Gulf coasts.

Mr. DUPRÉ. Will the gentleman yield?

Mr. COOPER of Wisconsin. I yield to the gentleman.

Mr. DUPRÉ. I merely want to say that nobody would think that any of the \$42,000,000 was for the purpose of building these dredges. It is merely an authorization the financing of which depends on future appropriations. It would not depend at all on the \$42,000,000 appropriation which is now pending before the Senate.

Mr. COOPER of Wisconsin. The gentleman from Louisiana is, I think, plainly in error. If we authorize this, the engineers will never expend all of the \$42,000,000 for the purposes for which we authorized it to be expended when the House passed that bill a few weeks ago. They will hold back in reserve more than \$4,000,000 for the completion of these dredges, and the inland harbors and waterways will to that extent be deprived of the use of the money to which they would otherwise be legitimately entitled. When we passed that bill four or five weeks ago we did it upon the distinct understanding that there could not be more than four dredges built.

Mr. DUPRÉ. They were not authorized at all at that time.

Mr. ROACH. They were included in the estimate, though, to make up the \$42,000,000.

Mr. DUPRÉ. They were not authorized, and therefore could not possibly be included in the bill appropriating that money.

Mr. ROACH. Certainly not; they were included in the \$42,000,000 appropriation as a part of the estimates that went to make up the appropriation.

Mr. DUPRÉ. Estimates are not authorizations and authorizations are not expenditures.

Mr. ROACH. It is intended that the money shall be used in the manner in which the estimates are submitted.

Mr. COOPER of Wisconsin. The estimates of the \$42,000,000 included the money necessary to construct four dredges.

Mr. DUPRÉ. In case Congress authorized them.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri.

The question was taken; and on a division (demanded by Mr. ROACH) there were—ayes 18, noes 50.

Mr. ROACH. I object to the vote because there is no quorum present.

The CHAIRMAN. The gentleman from Missouri makes the point that no quorum is present, and the Chair will count.

Mr. ROACH. Mr. Chairman, I will withdraw the point of no quorum.

Mr. ANDREWS of Nebraska. I renew the point of order.

The CHAIRMAN. The gentleman from Nebraska renews the point of order, and the Chair will count.

Mr. ANDREWS of Nebraska. Mr. Chairman, I withdraw the point of order and ask for tellers.

The CHAIRMAN. The Chair has counted up to 99, and there are still others that he had not counted. The gentleman calls for tellers. The Chair wishes to state that the demand for tellers is in order, but the question is as to whether a quorum is present. All those in favor of taking the question by tellers will rise.

Nine Members have risen, not a sufficient number, and tellers are refused.

So the amendment was rejected.

Mr. HULL. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 10, line 15, after the figures \$750,000 insert: "Provided further, That no money authorized to be expended for the acquirement of any dredge or dredges shall be so expended for the purchase of any dredge or dredges from private contractors which at the time of the proposed purchase can be manufactured at any navy yard or other Government-owned factory for a sum less than it can be purchased for from such private contractor."

Mr. HULL. Mr. Chairman and gentlemen of the committee, Members seem to be concerned as to how you can get six dredges for the price of four. This amendment will solve the problem if you will adopt it. I know some of the objections that will be urged against the amendment, but I want to assure gentlemen of the House that they are not valid objections. This amendment has been put on appropriation bills for some four or five years, and it has resulted in every case in a great saving to the Government. It does nothing but put a limitation upon the purchasing bureaus of the Government. It does not compel them to manufacture at Government-owned factories; it simply compels them when they want an article to find out from these great Government institutions as to whether they can produce it less than the private contractor can.

Mr. RAKER. Will the gentleman yield?

Mr. HULL. Yes.

Mr. RAKER. If it can be produced as cheaply as it can at the navy yard, can the department award the contract to the Navy Department?

Mr. HULL. Certainly; and it has been done in hundreds of cases.

Mr. RAKER. What are the objections to this provision?

Mr. HULL. Objections come from the purchasing department of the bureau, or, to say the least, personal influence directing them to award the contract to a private contractor.

Mr. LAYTON. Will the gentleman yield?

Mr. HULL. Yes.

Mr. LAYTON. When are you going to follow the administration? I understood the President of the United States said it was nearly time for the Government of the United States to get out of private business.

Mr. HULL. I did not know that the President of the United States, and I do not believe it is true, wants to destroy navy yards and arsenals of the Government and go to purchasing munitions of war in peace times of private contractors.

Mr. LAYTON. Are the navy yards manufacturing dredges as a part of their work?

Mr. HULL. Certainly they are; and if they can not do it, the amendment will not compel them to do it.

Mr. LAYTON. Where has the Government ever manufactured a dredge?

Mr. HULL. At Government navy yards.

Mr. LAYTON. Will the gentleman give me one dredge in operation now, either old or new, that was built at a Government navy yard?

Mr. HULL. I do not know; but I will say if they have not done so, somebody is making money out of the Government. This proposition has been tried, and I want to say to the gentleman that the Director of the Budget issued a general order November 9 instructing the bureaus to submit the procurement program that they wanted to him and he would have an estimate made at the Government factory as to how much it would cost them to produce it.

Mr. RAKER. Will the gentleman yield?

Mr. HULL. Yes.

Mr. RAKER. We have passed the scrapping bill, and there is bound to be a great deal of material on hand belonging to the Government; can not the Government with that property build the dredges much cheaper by using this material than anybody else?

Mr. HULL. I have no doubt of it at all. I have no doubt that they will build it for less than 60 per cent of the price you have mentioned, \$750,000.

Mr. RAKER. The Government ought to save that 40 per cent.

Mr. HULL. That is just what I want it to do. I want to read from the record of the Ordnance Department a few items where they did save the Government a good deal of money. This was tried from 1920 to 1921, and I have a list that was printed in the CONGRESSIONAL RECORD, page 1828, by the gentleman from Massachusetts [Mr. DALLINGER], giving the orders and what they saved. I am going to refer to only three or four of them. The Navy Department placed an order with the Frankford Arsenal for check-sight attachments. The lowest bid from the private contractor was \$12,900.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. HULL. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HULL. The Frankford Arsenal produced them for \$3,249.60 and paid an overhead of 60 per cent on the order.

Mr. COOPER of Wisconsin. That is about 25 per cent of the private bids.

Mr. HULL. Certainly; here is another one: The Navy Department placed with the Rock Island Arsenal an order for fuel water strainers. The lowest bid from an outside contractor was \$1,582.50. The Rock Island Arsenal produced them for \$746.20 and paid over 60 per cent of an overhead. I call attention to the fact that the overhead which they charged against these orders to the Government has to be paid in any case, because that goes right on. I am not advocating, however, that they should not charge the overhead. They should, just like any other institution, and they should pay a liberal overhead, and they are doing it on all these others. Here is another one: They produced for the Quartermaster's Department at the Rock Island Arsenal some bronze rings, and the lowest offer they had was \$21,870 from a private concern, while they produced them for \$10,720. For the Interior Department at the Rock Island Arsenal they produced some posts. The lowest bid on the outside was \$52,750, and the Rock Island Arsenal produced them for \$22,350. Hundreds of orders were taken at the Rock Island Arsenal alone, and on the orders they took they saved over \$90,000 in a little over a year, and all saved to these other bureaus of the Government. Do you not think it is about time to utilize the facilities that we have in order to find out what it costs to produce these things? And that is all the amendment does. It simply puts a limitation upon the purchasing bureaus of this Government. Everyone talks about and preaches economy and about punishing the profiteers. Here is a chance not to punish them but to limit them. I submit that this amendment is perfectly safe, sane, and ought to be adopted.

Mr. DEMPSEY. Mr. Chairman, I have only one suggestion to make with reference to this matter. I am as anxious to save money as is anyone. General Taylor, in his testimony before our committee, used the following language, and I shall quote it verbatim rather than to say what he said:

General TAYLOR. Yes, sir; we have quite a number of manufacturers in this country now that are making very good Diesel engines, which are used to a great extent. That development has come within the last two or three years. A Diesel engine that is used very extensively by cargo carriers is the McIntosh & Seymour, a type of which the Shipping Board has about 22 of those engines on hand which were purchased for installation in ships which they expected to build, but which they did not build, and I am endeavoring to have 12 of those, which would be the number that I would need for 4 of these dredges, assigned to the Engineer Department of the War Department without charge. I have not yet been able to accomplish this, because the Shipping Board has a prospect of selling them for \$60,000 apiece. I hope, however, that we will be able to get them at a considerable reduction under \$60,000, even if we can not get them for nothing. That would mean that much saving in the cost of our dredges.

I understand now that General Taylor has made an arrangement, so the clerk of the committee tells me, by which the engines will be procured without cost. The only thing I have to say with reference to the amendment is that I would not want it to complicate the matter so that we could not use these engines, so that by adopting the amendment we would add the price of the engines to the cost of the dredges.

Mr. HULL. Oh, there is nothing in the amendment that would complicate that. That would do just what they want done—find out whether they have material on hand in the other Government departments or not and then use it if they have.

Mr. DEMPSEY. I am not sure about that, but that is all I have to say concerning the amendment.

Mr. RAKER. Mr. Chairman, will the gentleman yield?

Mr. DEMPSEY. Yes.

Mr. RAKER. Who will construct these dredges, the War Department, or will the matter be let out by contract?

Mr. DEMPSEY. The War Department, I assume. The gentleman means under the bill as it is?

Mr. RAKER. I mean under the suggestion he has made about the four Diesel engines. If the War Department constructs them, of course they can use these engines, but if they leave the matter to a private contract, where would the four engines come in?

Mr. DEMPSEY. If they make a private contract, why would it not be feasible to provide in the contract that the dredge should be constructed and that the Government furnish the engine?

Mr. RAKER. That would mean another contract for some one to spend ten or fifteen thousand dollars on in placing the engine.

Mr. DEMPSEY. I can not see any reason why it would not be an easy matter to make such a provision in a contract. If they give a contract, they can provide that the Government shall furnish the engine and they could have bids on that basis. That is what I want to be sure that this amendment will do.

Mr. HULL. There is no question about that. There is nothing in this amendment that will prevent that.

Mr. RAKER. Mr. Chairman, I move to strike out the last word. The suggestion made by the amendment and the explanation made by the distinguished chairman of the committee seem to be in accord, because if the Government can procure these four engines it leaves a contract for the dredges, and when you come to place the engines in the dredges it will possibly cost half as much as the engines to do that, unless it be specifically provided in the contract that we have these engines and they are to be placed in the dredges.

Mr. ANDREWS of Nebraska. Would not the adoption of the amendment clear the way for the use of the engines without the extra expense?

Mr. RAKER. Surely.

Mr. ANDREWS of Nebraska. The Government would be doing its best to use the material.

Mr. RAKER. That is all I have to say.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn. The question is on the amendment offered by the gentleman from Iowa.

Mr. WALSH. Mr. Chairman, may we have that amendment again reported?

The CHAIRMAN. Without objection, the amendment will be again reported.

There was no objection, and the Clerk again reported the amendment.

Mr. WALSH. Mr. Chairman, I move to strike out the last two words, to ask the gentleman from Iowa a question. Does the gentleman believe that the phraseology of his amendment will cover a case where the War Department enters into a contract for the construction of a dredge?

Mr. HULL. Certainly.

Mr. WALSH. The gentleman uses the term "purchase of a dredge." The gentleman knows how strictly they construe these statutes, particularly the provisions making limitations. Would that prevent the War Department from making a contract to construct the dredge in accordance with plans and specifications?

Mr. HULL. It certainly would not. The intention of the amendment—and I think it is properly drawn—is to put a limitation upon the purchase, and ask them to construct it themselves if they possibly can do it more cheaply than they can contract for it or purchase it.

Mr. WALSH. The gentleman has in mind an instance where they are going to buy a dredge already constructed. He would not prevent them from doing that unless they can manufacture or construct a dredge in a navy yard for less than they can buy it?

Mr. HULL. That is the point; if they can construct it for less, let them construct it; that is all.

The CHAIRMAN. Without objection, the pro forma amendment will be considered as withdrawn, and the question is on the amendment offered by the gentleman from Iowa.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Sec. 6. That funds heretofore appropriated for improvement of rivers and harbors and which remain in the Treasury unexpended because the work or projects for which the same were appropriated have been completed, are hereby made available for expenditure by and under the direction of the Secretary of War and the supervision of the Chief of Engineers for the preservation and maintenance of any existing river and harbor works and for the prosecution of such projects of improvement heretofore adopted and authorized as may be most desirable in the interests of commerce and navigation.

Mr. BURTON. Mr. Chairman, I desire to move to strike out the last word. I would like to ask the chairman a few questions in regard to this paragraph. Suppose there is a project pending, a new project, and work has not been commenced, and there is a balance left from the old project; does that mean that the money goes back into the Treasury?

Mr. DEMPSEY. Well, as I understand it, this applies simply to completed projects. The provision is that where the project has been completed and there remains an unexpended balance to the credit of the project it goes back into the Treasury and becomes a part of the lump sum.

Mr. BURTON. Now, there are several projects on Lake Erie, Ashtabula, Fairport, and so forth, where there is enormous commerce, and there are balances remaining, and there have been also further improvements of projects recommended there. Would that money go back into the Treasury or would it remain to the credit of that improvement?

Mr. DEMPSEY. I think it would go back into the Treasury on existing projects which have been completed. It seems to me that that is clear. Suppose, say, a project has been conducted at Sandusky and the amount appropriated was \$100,000, and there has been expended \$90,000. That project has been completed; and I doubt very seriously whether it would remain for the new project.

Mr. BURTON. I would like to examine the provision further, but I shall not interpose an objection.

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

Sec. 8. That from the moneys available for the improvement of the Detroit River, Mich., not to exceed \$45,000 may be expended by the Secretary of the Treasury for remodeling and flooring over the light well of the Federal building at Detroit, Mich., to better accommodate the demands for space and to enable the engineer department to remain in its present quarters.

Mr. BRENNAN. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Strike out section 8 of the bill and substitute the following:

"Sec. 8. That from the moneys available for the improvement of the Detroit River, Mich., not to exceed \$45,000 may be expended by the Secretary of the Treasury in his discretion for remodeling the old Federal building or for renting quarters at Detroit, Mich., to better accommodate the demands for space and enable the engineer department to be properly quartered."

Mr. BRENNAN. Mr. Chairman, this is, of course, a purely local proposition. When section 8 was written in the bill by the committee it was thought desirable to provide the necessary quarters for the engineers in the Federal Building at Detroit by building over a light well, but there has been so much objection raised to that plan that it is suggested, with the consent of the committee, that this other method of procedure be adopted.

Mr. DEMPSEY. Mr. Chairman, the committee accepted the amendment suggested by the gentleman from Michigan, and I would simply say in addition to what the gentleman has said that there are two things involved here. First, the headquarters of the engineer force of the Great Lakes has been for many years in this building. Everybody who is interested in the navigation on the Great Lakes knows where their headquarters are. The engineer force will be driven out of the building because there is not sufficient space there, unless what is contemplated in section 8 is done, and if they are driven out not only will the work of navigation on the Great Lakes be discommodated, but in addition to that the Government will lose about \$12,000 or \$15,000 a year.

The CHAIRMAN. The question is on the substitute offered by the gentleman from Michigan.

The question was taken, and the substitute was adopted.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. That motion is not in order.

Mr. MONDELL. Mr. Chairman, I move to strike out the last two words; I move to strike out the paragraph.

The CHAIRMAN. That motion is not in order. The gentleman asks unanimous consent to proceed for five minutes.

Mr. MONDELL. The gentleman will make no such request.

The CHAIRMAN. The Clerk will read.

Mr. MONDELL. Mr. Chairman, why is a motion to strike out a paragraph not in order?

The CHAIRMAN. The gentleman from Wyoming propounds a parliamentary inquiry to the Chair. The Chair wishes to state that the committee has just adopted an amendment in the nature of a substitute for the paragraph under consideration. An amendment perfecting the amendment was in order before the committee adopted the amendment, but having adopted the amendment a motion to strike out can not be considered as in order, as that would negative the affirmative action that the committee has just taken in adopting the amendment. The Clerk will read.

The Clerk read as follows:

Sec. 9. That the Secretary of War is hereby authorized and directed to cause preliminary examinations and surveys to be made at the following-named localities, and a sufficient sum to pay the cost thereof may be allotted from appropriations heretofore made, or to be hereafter made, for examinations, surveys, and contingencies for rivers and harbors: *Provided*, That no preliminary examination, survey, project, or estimate for new works other than those designated in this or some prior act or joint resolution shall be made: *Provided further*, That after the regular or formal reports made as required by law on any examination, survey, project, or work under way or proposed are submitted no supplemental or additional report or estimate shall be made unless authorized by law: *And provided further*, That the Government shall not be deemed to have entered upon any project for the improvement of any waterway or harbor mentioned in this act until funds for the commencement of the proposed work shall have been actually appropriated by law:

Saco Harbor and River, Me.

Mr. ROACH. Mr. Chairman, I move to strike out the last word for the purpose of asking a question. I notice that section 9 provides for a large number of surveys to be made, totaling 118 in number. I want to inquire of the gentleman as to what information the committee had as to what these surveys are going to cost. I make that inquiry for the reason that the

cost of these surveys will also come out of the \$42,000,000 which the House recently appropriated.

Mr. DEMPSEY. The gentleman is in error as to the facts. There was an appropriation of \$250,000 for surveys in addition to the \$42,815,000, so the surveys will be limited to that amount.

Mr. ROACH. I may be in error, and I wanted to inquire, as the language of the bill here is just a little uncertain to my mind, as to whether it was intended to take the cost of these surveys out of the \$42,000,000, as it was easily susceptible of that construction unless there is some additional appropriation.

Mr. DUPRÉ. If the gentleman will look at the bill, he will find a certain amount in the military appropriation bill that is provided for the present surveys.

Mr. ROACH. My inquiry was to ascertain whether the cost of the surveys was to come out of the \$42,000,000.

Mr. DUPRÉ. There was a certain amount fixed in the military appropriation bill set aside for that purpose—some \$350,000.

Mr. ROACH. I am informed by the gentleman from Pennsylvania [Mr. BUTLER] that it was \$250,000.

Mr. DUPRÉ. And beyond which no cost as to this will go.

Mr. MONDELL. Mr. Chairman, I rise in opposition to the amendment.

Mr. ROACH. Mr. Chairman, I ask unanimous consent to withdraw the pro forma amendment.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to withdraw his amendment. Is there objection? [After a pause.] The Chair hears none.

Mr. MONDELL. Mr. Chairman, I move to strike out the last two words. I ask unanimous consent to proceed for 15 minutes.

The CHAIRMAN. The gentleman from Wyoming moves to strike out the last two words and asks unanimous consent to proceed for 15 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MONDELL. Mr. Chairman, there has been considerable question in the minds of many people of the country, considerable question in the minds of many Members of the House, as to whether we were justified at this time, in the present state of the Treasury, in bringing in a river and harbor bill. Gentlemen who believe that in the matter of public buildings, the housing of the public activities, there is quite as urgent need of expenditure as for rivers and harbors, realizing that there are very considerable river and harbor improvements already authorized and very considerable appropriations available, were, many of them, not inclined to think we should authorize more improvements at this time. To some of us who have no direct local interest whatever in rivers and harbors but who have always been favorable to river and harbor improvement, it seemed that there were some of the waterways of the country where it was absolutely essential to the best interests of the country that additional work should be authorized. I said to the gentlemen of the committee that so far as I was concerned I believed we were justified in taking up a river and harbor bill providing it was taken up and reported containing only projects that could be fully justified before the country.

We all remember that there was a time when river and harbor bills had a bad name in the country, so bad a name that it was something of a reflection on a man to vote for one unless he could justify himself before his constituents by claiming that he had received a large appropriation for his district, if that was justification.

The gentleman from Ohio [Mr. BURTON] became chairman of the Committee on Rivers and Harbors, and by insisting on a modification of the policy of the committee made river and harbor bills respectable again. And those who have no interest in rivers and harbors, except the general interest of the people of the country in having water navigation improved, have been very hopeful that when after the lapse of several years we took up authorization again they would be taken up with appreciation of the fact that care should be exercised; that nothing but projects that could be defended from every standpoint should be included in the bill. I hope the committee has done that. I think, in the main, they have.

My attention was called to one of the items of survey. I made a very proper inquiry of the chairman of the committee in regard to that item. I called his attention to the conditions as I knew them surrounding the stream where it was proposed to make the survey. I do not think the answer and explanation, to the effect that these surveys were frequently authorized on the request of Members without any considerable examination and were not of great importance in many cases because they entailed no great expense, was altogether satisfactory. Now, I am honestly interested in river and harbor bills. I want

to continue to vote for them. I have voted for most river and harbor bills since I have been here, and no dollar of the expenditure has ever been made within hundreds of miles of my State.

I aided the gentlemen who are directly interested in these projects not only in persuading some of those who are opposed to this general purpose to withhold their objection, but also in bringing the bill on the floor. I hope they will justify support by at least keeping questionable amendments from the bill.

If we are to continue river and harbor development in this country as we should, it must be continued in a way that will keep the project free from suspicion.

Mr. LINTHICUM. I wanted to ask the gentleman whether the Rio Grande would not come better under the Mexican Boundary Commission, which we established some years ago, and whether that would not be an international matter that they should consider rather than have it come under a river and harbor bill?

Mr. MONDELL. I think that a survey of that stream is not justified under a river and harbor bill.

Mr. DUPRÉ. Mr. Chairman, will the gentleman yield to me for a serious question—not one like that?

Mr. MONDELL. Yes.

Mr. DUPRÉ. I think what the gentleman said about the Rio Grande River is probably true, and I think the best way of disposing of that proposition is to have a survey made and show officially that there is no possibility of making it navigable; to dispose of it from official sources. That is the theory upon which I acted to-day.

Mr. MONDELL. That is a theory that it will be very difficult to get the country to approve.

Mr. DUPRÉ. I will take my chances on that.

Mr. MONDELL. The gentleman may take his chances; but there are other folks that may take a different view. This committee has a much greater responsibility in this matter than I have, and if there is no better defense of a survey item than that it does not cost much, that anyone who desires a survey can have it, then such items ought to go out of the bill.

Mr. ANDREWS of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. ANDREWS of Nebraska. Could not this bill make it appear to the country that this session of Congress has created a \$79,000,000 liability for rivers and harbors?

Mr. MONDELL. I am willing to take my responsibility of having agreed that the condition of the waterways of the country was such that as to some waterways it was necessary to have legislative action, and I regret, very sincerely regret, that the committee has not been better informed and more careful as to some of the survey items which they have placed in their bill.

Mr. DEMPSEY rose.

The CHAIRMAN. The gentleman from New York is recognized in opposition to the pro forma amendment.

Mr. DEMPSEY. Now, so far as the temper, so far as the manner, of the response of "the gentleman from New York" was concerned, if it was faulty I apologize before the House to the gentleman from Wyoming. If he answered in heat or in an ungracious manner he apologizes for it.

But the gentleman from Wyoming attacks this bill in the same manner as he did before. It is not fair. He says he is complaining of the creeks in this bill. There is just one creek mentioned in the whole project part of the bill, and yet the inference to be drawn from the gentleman's statement would be that this bill was made up of creeks.

Mr. MONDELL. Does the gentleman say there is but one creek in this bill?

Mr. DEMPSEY. There has not been a bill pending before the House for years that has contained such important items as make up this bill.

Now, let us take up the question of what has been done here and what the gentleman has criticized. The gentleman criticizes first the manner of the gentleman from New York, for which he has apologized and for which he again apologizes if apology is due. Next he criticizes the surveys. Now, let us see what is done as to surveys. Why, here is the situation: It has been the custom in the Committee on Rivers and Harbors for the whole committee to consider all the items of the bill except the surveys. They know that the item of surveys costs, year in and year out, about a quarter of a million dollars. They know that that is the cost regardless of the number of items; that if you have 20 items it will cost that amount; if you have 50 items it will cost that amount; if you have 75 items it will cost that amount. It did not make the slightest possible difference that the item to which the gentleman re-

ferred was included in the surveys. It could cost but a trifle. I personally knew nothing about the insertion of it. It is the custom to allow the ranking majority member to be the chairman of a subcommittee to deal with surveys.

We do not deal with it in the committee as a whole, because we know that we are not increasing the expense. We know that there is a certain limited expense and that it is a necessary and proper expense. It starts in the proper way. It says we shall not even consider an item until there has been a favorable report by the engineers. So when a thing comes in it is the custom to send it to the engineers, and if it is improper it is refused at once.

What is the history of surveys? It is minuted at page 2109 of part 2 of the Annual Report of the Chief of Engineers for 1920. We find that only 34 per cent of the surveys have been acted upon favorably. Now, why is it that it does not cost any more when you insert an additional survey? Nine-tenths of the data consists of geography. Nine-tenths of it is matter that the engineers have at hand. It involves at the most nothing but slight clerical work in the office. These men who ask for surveys are simply asking that there be an investigation made which will not cost anything to determine whether their project is worthy or not, and on the statistics they have one chance in three of having that report favorable. Now, it seems to me the difficulty is right here. I want to speak in entire good temper. I am sorry that this dispute arose. I regret it and have apologized so far as I can be charged with any fault in regard to it. But it arose in the early part of this bill; it was brought up before surveys were reached at all, brought up out of order, brought up by a man who had been opposed to the increase in the river and harbor appropriation. And when I saw it brought up in that way, when I saw that there really was nothing to it at all and yet that it was being magnified into an important part of this bill, might I not be pardoned? I ask this of all of you in good faith. [Applause.]

Mr. GARNER. Mr. Chairman, I move to strike out the required number of words.

The CHAIRMAN. The gentleman from Texas moves to strike out three words.

Mr. GARNER. Mr. Chairman, it is rather amusing in the House to see the leaders of two respective thoughts quarrel with each other about who should get the larger end of the swag as each terms the other's appropriation. I happen to occupy a position of advocacy of each one of their ideas. I believe in river and harbor work and I also believe in reclamation. I think these gentlemen had better get together and each one of them concede that there are merits in each of their ideas, and also they might concede that there is a little bit of pork that creeps into each one of these governmental activities, reclamation probably, as well as river and harbor work.

Now, referring to the particular item spoken of by the gentleman from Wyoming [Mr. MONDELL], I want to say that of course there is no possibility of navigation at El Paso. But this item was inserted in the bill, I imagine—though I have no authority to speak for it, because it was probably put in there by my colleague [Mr. HUDSPETH], who represents El Paso—for a very good reason, and a reason which I think will appeal to the House itself when the House understands it. Some of these days Mexico will be recognized by the United States, and we will resume our relations with that Republic. When we do that it is the hope of the people living in Texas along the Rio Grande that there will be negotiated a treaty with the Republic of Mexico concerning the waters of the Rio Grande. At the present time it is recognized as a navigable stream by a treaty existing between this country and Mexico. So a mere declaration on the part of this Government that the Rio Grande is non-navigable would not carry the authority to take the water out of the river for irrigation purposes to the detriment of navigation. So I imagine that my colleague [Mr. HUDSPETH], or whoever had this item inserted, had the viewpoint that if a declaration could be obtained from the river and harbor engineers to the effect that the river is a nonnavigable stream at the present time it might be very valuable information to the State Department when they undertook to negotiate this new treaty. So I say for that reason I think they were justified in including it in the river and harbor bill. I agree with the gentleman from New York [Mr. DEMPSEY] that many surveys are authorized—and I think they were authorized when the distinguished gentleman from Ohio [Mr. BURTON] was chairman of that committee—that in all probability would receive no favorable report.

I will admit that this authorization for a survey at El Paso for river and harbor possibilities is an extreme case, but I think I have given a sufficient explanation that will justify retaining the item in the bill. The survey will be made from the office of the Board of Engineers rather than on the ground,

and the result is that we will have a declaration that it is a nonnavigable stream at the present time, and so we will get the use of the water for more valuable purposes, which is the irrigation of arid land in Texas, and I know my friend from Wyoming is in favor of that.

Mr. CAMPBELL of Kansas. Will the gentleman yield?

Mr. GARNER. Yes.

Mr. CAMPBELL of Kansas. Aside from the Rio Grande proposition in the pending bill, I would like to know something about Goose Creek, where it is located, how much water it contains, and what its possibilities are. I see it is provided for here.

Mr. GARNER. I have no Goose Creek in my district, I have no survey in my district, I have no authorization for any work to be done in my district, and I have no interest as far as the river and harbor bill is concerned more than has the gentleman from Kansas. I am in entire sympathy with the work and have no objection to a survey of Goose Creek, wherever it is. The gentleman from Maryland says that it is in Pennsylvania. Probably if you get a letter from Mr. Pinchot he will tell you all about it. [Laughter.]

Mr. CAMPBELL of Kansas. The Goose Creek in this bill is located in Texas.

Mr. GARNER. I am not acquainted with it.

Mr. MONDELL. Mr. Chairman, the gentleman from New York can not write me down as an opponent of river and harbor development. Years ago in my early service there were bills that I could not vote for. Then came the gentleman from Ohio [Mr. BURTON], as chairman of the Rivers and Harbors Committee, and the bills became entirely defensible, and, as I suggested, we all voted for them. I not only approved but I voted for the appropriation, the very goodly appropriation, contained in the appropriation bill for river and harbor work. I did not believe that we were justified, taking into consideration the condition of the Treasury, the fact that we were holding down appropriations in other directions, that we were justified in increasing the appropriation as was done.

Now, with regard to this particular matter, if the gentleman from New York had in the beginning given the reason which he has recently advanced for this survey, I should have been reasonably satisfied, although I think it is rather a lame reason. I can not quite agree with the gentleman from Texas [Mr. GARNER], who from his very lively imagination has conjured up a theory as to the reason for the inclusion of the Rio Grande item in the bill. I think I know the reason, because I have made some inquiry. The people of El Paso have been anxious for a long time to have the War Department spend some money rectifying and establishing the banks of the Rio Grande, and my guess would be that the thought of the gentleman who was instrumental in having the survey item placed in the bill was that out of it might come some expenditure for bank rectification and protection.

Now, Mr. Chairman, I am going to support this bill. I am going to vote for it, unless it is loaded with amendments I can not support. Some reference has been made to creeks, and the gentleman from New York says that there is only one creek in the bill. Here is Glen Cove Creek, N. Y.; Big Timber Creek, N. J.; West Creek, N. J.; and others—

Mr. DEMPSEY. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. DEMPSEY. The gentleman knows that I said repeatedly in my remarks that I was not speaking about the surveys, I was speaking about the bill and what the bill provided—a great bill that is going to help the commerce of the United States, cheapen transportation, relieve the congestion; and when we had all these great questions before us that we were starting to consider, the question he propounded was as to a survey at the end of the bill. That is what the gentleman is talking about now—surveys. In the legislative part of the bill—the part that is of importance—there is only one creek.

Mr. MONDELL. Every one of the items of the river and harbor bill that have been objectionable began with a survey. There was the Trinity River—

Mr. DEMPSEY. That is abandoned in this bill.

Mr. MONDELL. Thank Heaven! How many millions were sunk in the Trinity River? Then there is the Brazos. All began with surveys. I am not objecting to the surveys because they are creeks; I know something about surveys. Goose Creek is not in Pennsylvania, as was stated; it is in Texas, and it has some navigation on it and is, perhaps, susceptible of improvement. I think it would be entirely proper to survey Goose Creek. I do not know as to the other creeks, and I regret that doubt should be raised in my mind as to survey items in a bill for which I desire to vote.

The Clerk read as follows:

Dorchester Bay and Neponset River, Mass.

Mr. FREEMAN. Mr. Chairman, on behalf of the committee I offer the following amendment.

The CHAIRMAN. The gentleman from Connecticut offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 12, between lines 15 and 16, insert the following paragraph: "Mystic River, Mass."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Thames River, Conn.

Mr. FREEMAN. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Page 12, between lines 19 and 20, insert the following paragraphs:

"Guilford, Conn."

"Westport Harbor."

"Saugatuck River, Conn."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Great Kills, Staten Island, N. Y.

Mr. FREEMAN. Mr. Chairman, I offer the following committee amendment.

The Clerk read as follows:

Amendment offered by Mr. FREEMAN: Page 12, between lines 20 and 21, insert the following paragraphs:

"Fresh Kills, Staten Island, N. Y."

"Murderers Creek, N. Y."

"Hudson River at and near Stockport, N. Y."

"East Chester Creek, N. Y., with a view to extending the navigable channel to Sixth Street Bridge, in the city of Mount Vernon."

"Milton Harbor, N. Y."

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. FREEMAN. Yes.

Mr. LONGWORTH. Do I understand that all of these amendments that the gentleman is offering cost the Government nothing?

Mr. FREEMAN. Practically nothing. They are all in the hands of the Board of Engineers.

Mr. LONGWORTH. Let me see if I quite understand. As I understood the gentleman from New York, the chairman of the committee [Mr. DEMPSEY], there was a limitation of \$250,000 somewhere—I do not know where; it is not in this bill—so that it makes no difference, as far as this bill is concerned, whether you have 1 survey or 10,000 surveys; it costs the Government the same thing.

Mr. DEMPSEY. That is exactly the truth.

Mr. LONGWORTH. Where does one find in this bill, or any other bill, a limitation as to the amount which can be expended for these surveys?

Mr. DUPRÉ. In the military appropriation bill, now pending in the Senate, making provisions for these surveys.

Probably the gentleman voted for that. I hope he did.

Mr. LONGWORTH. I did vote for it. Does that cover all of the surveys provided in this bill?

Mr. DEMPSEY. It does.

Mr. DUPRÉ. It covers all surveys that will not use up more than \$250,000, which is the limitation.

Mr. LONGWORTH. Which are to be made in the next fiscal year?

Mr. DUPRÉ. Yes.

Mr. LONGWORTH. But there is no limitation as to the fiscal year.

Mr. DUPRÉ. There is no money to pay for these things. The engineers are dependent upon the appropriation bill.

Mr. LONGWORTH. How long does this authorization last? This authorization here is not limited to the fiscal year?

Mr. DUPRÉ. No.

Mr. LONGWORTH. Then it seems to me that we are in quite an absurd position; that it makes absolutely no difference as to the merits of these propositions—in fact, the less meritorious they are the better, because the Government will declare a stream nonnavigable which we now know to be nonnavigable.

Mr. DUPRÉ. Possibly.

Mr. LONGWORTH. Of all of the absurd procedures, it is to take it for granted that anybody can offer an amendment providing for a survey, no matter where, and that we accept it as a matter of course.

Mr. DUPRÉ. Nine-tenths of these will be disposed of at a cost of less than \$100 each.

Mr. LINTHICUM. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman can not take a Member off the floor by a parliamentary inquiry without his consent.

Mr. DEMPSEY. These surveys are not made without examination. The practice has always been, and it was followed in this case, to refer the question of a survey to a subcommittee, of which the ranking majority member is the chairman, of which the next member on the majority side is a member, and of which the ranking minority member is a member. That committee of three goes into the question of surveys. They go into it just as extensively as they can, as the time will permit. They find out all they can find without the expenditure of money. All that has been said in regard to the matter is this, that only a limited amount is appropriated, and that the surveys, regardless of the number of them, will come within that amount. It has been said in addition that the vast majority of these surveys do not cause any expense, except a small, a very small amount of clerical work, that the data is largely in the hands of the engineers, and that where there has to be any work done it is done by the resident engineer, who is on the ground, who is paid a certain salary, who does not employ additional help, and it is all done within the appropriation.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. DEMPSEY. Yes.

Mr. LONGWORTH. The gentleman is speaking about the procedure in the committee.

Mr. DEMPSEY. Yes.

Mr. LONGWORTH. But we are adopting now an entirely different procedure. A member of the committee rises here and offers one amendment after another, and he says it costs nothing.

Mr. DUPRÉ. But he stated that he was acting by approval of the committee.

Mr. LONGWORTH. He made no such statement.

Mr. DUPRÉ. Oh, yes; the gentleman did make that statement.

Mr. LONGWORTH. I did not so understand him.

Mr. DEMPSEY. He is the chairman of the subcommittee, which is composed of himself and the next ranking member and of Mr. DUPRÉ, the ranking minority member.

Mr. LONGWORTH. These are all committee amendments?

Mr. DEMPSEY. Yes.

Mr. LONGWORTH. Let me ask the gentleman this. I want to understand just how this procedure is done: I have in my district a very beautiful river, known as the Little Miami. Suppose I had come to the gentleman's committee and said I would like to have a survey of the Miami—

Mr. DUPRÉ. As far as I am concerned, I would have said, "All right, Nick, I will do it."

Mr. LONGWORTH. The river is very much more navigable than many other rivers, and I find that I have support from a very influential member of the committee.

Mr. DEMPSEY. And I would say in answer to the question of the gentleman from Ohio that the gentleman from Connecticut would sit down with him and members of the subcommittee and find out as far they could the facts with regard to this without the summoning of witnesses—

Mr. LONGWORTH. I would state to the gentleman under those circumstances there is no more chance of that river being declared navigable than there is of the Rio Grande being declared navigable, but that I wanted to have the people understand it is not navigable, and therefore I wanted to have it surveyed. What is the difference?

Mr. DUPRÉ. Will the gentleman offer an amendment?

Mr. LONGWORTH. Will the gentleman support it?

Mr. DUPRÉ. Certainly.

Mr. CAMPBELL of Kansas. Mr. Chairman, it has been stated here that the items now being put in the bill cost nothing—

Mr. DEMPSEY. No; it has not been stated; that has not been said. Let us state what has been said.

Mr. LONGWORTH. Practically nothing.

Mr. DEMPSEY. No; that has not been said.

Mr. LONGWORTH. Oh, yes; the gentleman from Connecticut said that.

Mr. DEMPSEY. The situation is this, that the expense of these surveys, a larger part of them, is largely negligible, owing to the fact the data is mostly in the hands of the engineers, and they do not have to do additional work, owing to which the expense is very small, indeed.

Mr. CAMPBELL of Kansas. Let me tell the gentleman what will happen. We have got \$250,000 in the current military appropriation bill for making these surveys. The next time the military authorities appear before the Committee on Ap-

propriations they will ask for additional appropriation in order to make the surveys which we authorize in the bill providing for rivers and harbors.

Mr. DEMPSEY. I will say in answer to the gentleman from Kansas that he is a very poor prophet.

Mr. CAMPBELL of Kansas. Oh, I know what has been done in reference to these things.

Mr. DEMPSEY. The gentleman absolutely is misinformed. That has not been the experience.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAWLEY. Mr. Chairman, I move to strike out a sufficient number of words.

The CHAIRMAN. The gentleman is recognized in opposition to the pro forma amendment.

Mr. HAWLEY. Mr. Chairman, I think this matter of surveys can be cleared up by a short explanation of the procedure followed by the Board of Engineers. When a river and harbor bill has been passed and signed by the President it goes to them for execution. They ask the district engineers in all parts of the country where the surveys are authorized to make what they call preliminary examinations. That examination in many cases may never be made outside of the office, or may be made by the writing of a few letters, or it may require some hearing or investigation locally. They take what action is necessary to get a sufficient amount of information to convince them that a project is worthy or not worthy of improvement at the expense of the Government. The report is sent back to the Board of Engineers here in Washington, and if unfavorable nothing further is done usually with the project upon which they reported. Only those upon which they report after examination that they find them worthy of more detailed investigation is an investigation made on the ground or at any length, and only those cases cost any particular sums of money, but the preliminary surveys, such as the chairman has described, are made upon information in the office of the local engineer or as indicated above.

Mr. MONDELL. Will the gentleman yield?

Mr. HAWLEY. I will yield.

Mr. MONDELL. An amendment offered to make a survey of the Mississippi River would not cost anything?

Mr. HAWLEY. It might cost the district engineer of the district in which the river is located the writing of three or four letters, or possibly a local hearing or examination, if the information received indicates that the project is worthy of further consideration.

Mr. MONDELL. Even on the Mississippi and Missouri Rivers?

Mr. HAWLEY. I did not understand the gentleman to say Mississippi or Missouri. I thought he said on any river. If the local engineer makes a preliminary investigation and believes a project worthy of further development, he would report the matter back to the Board of Engineers of Rivers and Harbors. But no detail survey can be made until they examine the report of the district engineers upon the preliminary examination in Washington and direct the detail surveys.

Mr. MONDELL. Then I understand if any Member has a stream, a bayou, or a creek anywhere that he has not a survey or a report on it is because he has not been active in suggesting or recommending or asking that it be surveyed?

Mr. HAWLEY. The gentleman is not quite correct in that, because in my experience I go before this subcommittee with the data sent from my locality showing the commerce, present and prospective, and the possibility of development, and I find a number of times that the committee has been unfriendly to including that proposed project in the bill because we did not have the showing sufficient to justify the authorization of the survey.

Mr. CAMPBELL of Kansas. I rise in opposition to the amendment offered by the gentleman from Oregon [Mr. HAWLEY].

The CHAIRMAN. The gentleman from Kansas is recognized. Mr. CAMPBELL of Kansas. Mr. Chairman, when I first came to Congress, some 20 years ago, the Committee on Rivers and Harbors were making up a river and harbor bill. It was intimated to me that I could get a project into that bill. I am now talking to the gentleman from New York [Mr. DEMPSEY] and others. "Well," I said, "I am not interested in rivers and harbors. There are no navigable streams in my district or State." They replied, "Oh, that does not make any difference. You can get an item in the bill just the same." Well, I had the name of a stream that ran through my district—a name that sounded good—and so I got it in for a survey, one of these preliminary surveys that was not going to cost the Government a sou.

Years after—five or six years after that—some young men representing the War Department spent months along the banks of that stream.

Mr. MONDELL. Was there good fishing?

Mr. CAMPBELL of Kansas. There were ponds in it during the summer that had fish.

Mr. DEMPSEY. Did the gentleman furnish the name of the stream and of the men so that they could be reported to the War Department?

Mr. CAMPBELL of Kansas. They made the survey authorized by this Congress.

Mr. FAIRCHILD. Will the gentleman give us the name of the stream?

Mr. CAMPBELL of Kansas. The Neosho.

Mr. LONGWORTH. We do not believe it. "There ain't no such name."

Mr. HAWLEY. Does not the gentleman know that the system has been entirely changed since that occurrence?

Mr. CAMPBELL of Kansas. Oh, no. The system only changed in this House when those practices became so odious to the country that they had to stop. Now they are putting in a lot more of surveys in this bill in order to secure support for a bill that should command the support of this House because it is meritorious. It is a cheap way of securing support for a bill.

Do not let anybody convince you that these surveys are not going to cost anything. They are. There is no question about it.

Mr. BEGG. Mr. Chairman, I make the point of no quorum.

The CHAIRMAN. The gentleman from Ohio makes the point there is no quorum present. The Chair will count. [After counting.] One hundred and two Members are present, a quorum.

Mr. LAYTON. Mr. Chairman, I rise to support the pro forma amendment of the gentleman from Oregon.

Mr. GERNERD. I move to strike out the last word.

Mr. LAYTON. As a member of the committee, I would like to have the floor.

Mr. GERNERD. I did not know that the gentleman was a member of the committee.

The CHAIRMAN. The gentleman from Delaware is recognized in opposition to the pro forma amendment offered by the gentleman from Oregon [Mr. HAWLEY].

Mr. LAYTON. Mr. Chairman and gentlemen, we are having a nice little tempest in a teapot, and it is very plain as to who is raising the tempest. I ask the Members of this House that they consider what this opposition means; where all the disturbance begins, and to what it is tending. It is not due, so it is said, to an opposition to the real bill. It is due to some matters of an incidental and negligible character—mere surveys. If the gentlemen who are interested in raising this disturbance against this bill want to go back to the vote that was taken, whereby certain gentlemen were offended not long ago in this House, let them come out frankly and say so. There is nothing in this fuss that is going on here about surveys, when surveys constitute an immaterial part of the bill. And the bill ought to be considered before this House on its merits. The committee has given honest, conscientious consideration to the bill, and deserves better treatment at the hands of certain gentlemen in the House. [Applause.]

Mr. ANDREWS of Nebraska. Will the gentleman yield for a question?

Mr. LAYTON. Yes.

Mr. ANDREWS of Nebraska. Having passed a bill carrying an appropriation of \$42,000,000, what are the specific public necessities that call for a levy of \$37,000,000 more of liability upon the country at this time?

Mr. LAYTON. In the judgment of the standing committee of this House that is composed of intelligent men, who have just as much right to report a bill to this House as any men who belong to any other committee, for the good of the country. Moreover, the gentleman's question is an assumption.

Mr. ANDREWS of Nebraska. That is no answer.

Mr. HAWLEY. Mr. Chairman, I ask unanimous consent to withdraw the pro forma amendment.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn.

There was no objection.

Mr. MONDELL. Mr. Chairman, can the gentleman from Connecticut [Mr. FREEMAN] give us some information as to the nature and character of the stream which he proposes to have—

The CHAIRMAN. The gentleman from Wyoming moves to strike out the last two words.

Mr. MONDELL. It seems to me, Mr. Chairman, that the committee is entitled to some information.

The CHAIRMAN. The Chair wishes to say to the gentleman from Wyoming that debate was exhausted when the pro forma amendments were withdrawn. The Chair was trying to follow the parliamentary practice of the House.

Mr. MONDELL. Will the gentleman from Connecticut yield? Do I understand the gentleman does not desire to give any information to the House?

Mr. FREEMAN. I will say to the gentleman and members of the committee that I know nothing about the amendment I offered. It was offered by direction of the committee.

Mr. MONDELL. I understand the chairman of the subcommittee that examined these cases—

Mr. FREEMAN. Those are printed in the bill. But these are amendments that have come in since the bill was printed, and have been passed upon by the full committee and not by the subcommittee alone.

Mr. MONDELL. The gentleman has no information, then, in regard to them?

Mr. FREEMAN. On that particular amendment that I offered I have not—the last one, the one in Connecticut. I know about the Westport Harbor and Gullford Harbor, but aside from that I know nothing about the amendment I have just offered.

Mr. MONDELL. How many amendments has the gentleman?

Mr. FREEMAN. About a dozen more.

Mr. GERNERD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Pennsylvania is recognized.

Mr. GERNERD. Mr. Chairman, first, I ask unanimous consent to revise and extend my remarks in the Record.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to revise and extend his remarks in the Record. Is there objection?

There was no objection.

Mr. GERNERD. Mr. Chairman and gentlemen, I am going to try and divert your attention from this vacillating subject for a few moments to the subject of the emergency tariff bill and its effect on the importation of farm products.

Mr. STEVENSON. This is under the five-minute rule, is it not?

The CHAIRMAN. Yes; the gentleman has been recognized for five minutes.

Mr. STEVENSON. I make the point of order that the gentleman is not in order under the five-minute rule if he is going to discuss the emergency tariff.

Mr. GERNERD. Well, I am in favor of this bill.

The CHAIRMAN. The gentleman will confine himself to this amendment. The committee will be in order.

Mr. GARNER. Mr. Chairman, will the gentleman yield?

Mr. GERNERD. I will.

Mr. GARNER. Let me suggest to the gentleman, with all due deference to him, that it appears that the committee is not anxious to hear what he is saying on the tariff. Why does he not ask unanimous consent to extend his remarks in the Record on the tariff?

Mr. GERNERD. I will say to the gentleman very kindly that I have been here regularly and have listened patiently to many speeches from the gentleman from Texas and a great many of his colleagues from the South, and I think they would be very much interested in hearing what I have to say about the results of the emergency tariff.

Mr. GARNER. The gentleman has never heard the gentleman from Texas speak upon anything that was not pending.

Mr. ARENTZ. Mr. Chairman, will the gentleman yield?

Mr. GERNERD. Yes.

Mr. ARENTZ. The gentleman from Texas was referring only a few minutes ago to the question of reclamation. I suggest that that, too, was a question foreign to the subject matter of the pending bill.

Mr. GERNERD. Yes. I wish to say he also spoke of the election in Pennsylvania. I will say to the gentleman that we had an election there, and it was a very wholesome one, and I favored Gifford Pinchot for governor, if he cares to know. [Applause.]

Mr. CHINDBLOM. Mr. Chairman, will the gentleman yield?

Mr. GERNERD. Yes.

Mr. CHINDBLOM. The gentleman is making a survey of the results of the emergency tariff?

Mr. GERNERD. Yes. I shall shortly proceed to do that very thing.

Mr. STEVENSON. Mr. Chairman, will the gentleman from Pennsylvania yield?

Mr. GERNERD. I shall be very happy to, although I may have to ask for additional time.

Mr. STEVENSON. I want to ask the gentleman if he has noticed that the one southern product that is protected in that emergency tariff bill, to wit, long-staple cotton, has been imported to a greater extent in the first eight months of this fiscal year under the emergency tariff than ever was imported before in one single year in the history of the country when there was a tariff?

Mr. GERNERD. That is a fact which is gratifying to know. It has brought that much more income into the United States Treasury.

Mr. STEVENSON. I thought the gentleman wanted to stop competition with our home products. They have imported 254,000 bales in eight months, when they never did anything like that before.

Mr. ANDREWS of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. GERNERD. Yes.

Mr. ANDREWS of Nebraska. It shows that Republican prosperity has struck the South?

Mr. GERNERD. Yes.

Mr. BUTLER. Go ahead. I suggest to my friend not to yield, but to keep the floor.

Mr. GERNERD. Mr. Chairman, frequently one hears the question put: Has the emergency tariff worked out? Has it given relief to the farmer? Has it reduced the importation of foreign products? Have the results justified the hopes of its advocates? To all of these questions I reply by saying that it has had a marvelously wholesome effect in reducing imports and in stimulating the demand for our domestic farm products. It appears almost inconceivable that this measure was not put into effect a year earlier, when our markets were flooded with the world's surplus of farm products, for it was only in our market that the foreigner could sell for cash and for a currency that had not depreciated. During the calendar year 1920 we imported \$1,660,000,000 worth of products which came in direct competition with those of our farmers, and at a time when they had exerted their greatest efforts in maximum production under the stimulus of the war and when he still had on hand large unsold crops occasioned by the sudden ending of the war. Immediately the markets of our farmers were broken, and the worst deflation known to economic history began. It is estimated that in the year 1920 the farm products of the United States depreciated the colossal sum of \$7,000,000,000. Is it any wonder, then, that our farmers were financially paralyzed when they practically realized nothing from their crops and the live stock which they had produced at the peak of the cost of production? Under such circumstances it was but natural that distress, bankruptcy, and hardships of the severest character became the unhappy lot of the American farmer. Such a condition inevitably spells disaster, and it became imperative that Congress pass legislation that would speedily lessen the rigors of such a disheartening situation.

The 45,000,000 people engaged in agriculture and stock raising were employed in a business which formed the very basis of American prosperity. Their great misfortune almost immediately reflected itself in the business of the Nation and greatly reduced its vitality, with the result that it hastened the great depression that we have suffered during the past year and a half.

I am satisfied that if the existing duties on farm products and live stock had been in effect at the close of the World War we should have been spared the drastic losses that we have sustained. Our decline from war prices would have been gradual, and our domestic consumption would have largely taken care of our production.

I have carefully analyzed the importations for 1920 and of 1921, and I believe that you will agree with my observations; but in order that you may have the facts more clearly before you I shall discuss a number of the more important farm products that have been primarily affected during the operation of the emergency tariff.

POTATOES.

There is no question but that we can produce all the white or Irish potatoes that our people require at a fair and reasonable price to the consumer. We have very few localities that are not adapted to the growing of potatoes in the United States, but we have a number of States where the soil and climatic conditions are especially favorable to the growing of this very nutritious food product. They are Maine, New York, Pennsylvania, Michigan, Minnesota, Colorado, Idaho, Virginia, and California. Our normal annual productions during the past five years have been about 375,000,000 bushels. Nevertheless, in view of these facts, we imported, principally from Canada and Denmark, in the year 1920, 12,526,620 bushels. Potatoes being a perishable product, must be disposed of within a period of six to eight months after their harvesting. Therefore the farmer is unable to store his crop, and is compelled to ship to market after harvest and frequently at a time when

prices are most unfavorable. He has often been subjected to the most vicious competition through the importation of foreign potatoes, imported by the produce merchants of the larger cities for speculative purposes, and at times intended solely to depress the market.

It can readily be seen what effect a cargo of several hundred thousand bushels of potatoes shipped from Denmark will have upon the Philadelphia and the New York markets, or the unloading of 500,000 bushels on the Chicago market from Canada. Whenever the potato market is impaired by such practices its recovery is naturally very slow, requiring weeks and sometimes months before a normal price level is reached, with the result that great harm is done to the shipper. Frequently such situations were created, and they were comparatively easy to create, while our markets were free and open to the world. The effect of the emergency tariff of 25 cents per bushel upon the importation of this product is rather interesting. During the month of May, 1921, which was the last month that potatoes were imported free, we imported 173,643 bushels, whereas the importations dropped the very next month after duties had gone into effect to 23,805 bushels. The statistics of imports for the corresponding seven months of 1920 and 1921, beginning with the month of June of each year, show that our decline of imports during this period amounted to 1,783,459 bushels:

Free of duty, 1920.		Duty of 25 cents per bushel, 1921.	
June	399,637	June	23,805
July	65,400	July	5,122
August	268,847	August	55,214
September	236,696	September	116,249
October	443,170	October	160,536
November	615,612	November	136,865
December	321,334	December	69,446
Total	2,350,696	Total	567,237

Decrease of imports for seven months, 1,783,459 bushels.

WHEAT.

It is most interesting to examine the importations of wheat for the years 1920 and 1921. In the year 1920 we imported 35,808,668 bushels of wheat for domestic consumption, practically all of which came from Canada, but to this total should be added 3,555,757 bushels more, for the reason that this amount was imported in terms of flour, thereby making the actual total for 1920, 39,354,213 bushels. From September 1, 1920, up to June 1, 1921, at which time the emergency tariff went into effect, the most active influences were at work, for during that period we imported 50,335,818 bushels of wheat. This does not include the grain shipped through the United States by Canada for export through our American ports, for all of this wheat was shipped in bond. I make mention of this fact in order that no doubt may arise in the mind of anyone as to the actual quantity that came into direct competition with our own domestic product.

In view of these figures who can successfully contend that this large importation of wheat did not influence and affect the price of wheat in this country? How effectually this great flow of wheat into the United States was stopped by the emergency tariff act is evidenced by the table below, which shows an immediate drop from the month of May, 1921, which was the last month wheat was imported free of duty, of from 1,902,667 bushels to 89,807 bushels for the month of June, 1921, the first month that a duty of 35 cents per bushel was imposed. The comparative figures for the corresponding seven months of 1920 with those of 1921, after the tariff became effective, show a decisive drop of imports amounting to 27,911,203 bushels:

Free, 1920.		Duty of 35 cents per bushel, 1921.	
January	756,228	January	4,504,856
February	534,692	February	4,403,712
March	665,154	March	2,671,043
April	227,284	April	4,451,304
May	474,891	May	1,902,667
		DATE EMERGENCY TARIFF TOOK EFFECT.	
June	283,010	June	89,807
July	100,334	July	713,669
August	364,827	August	239,559
September	1,842,397	September	81,031
October	9,802,149	October	878,115
November	9,522,578	November	1,184,776
December	11,235,112	December	2,052,247
Total	33,150,407	Total	5,239,204

Decrease of imports for seven months beginning June 1, 1921, 27,911,203 bushels of wheat.

IMPORTS OF CONDENSED AND PRESERVED MILK AND CREAM.

I am certain that the producer of milk in our country is welcoming the beneficial influence that the emergency tariff is exerting upon the demand and price of his product. We all appreciate the great hazard and arduous labor that is involved in the production of milk. His herds of cows are constantly in danger of being subjected to quarantine and the most rigid sanitary laws are being enforced in order to insure a pure milk

supply. I am sure that we have no industry that is watched and guarded with such vigilance as is that of the dairy industry of America. Marvelous progress has been made in building up the finest milk-producing cows in the world and thereby insuring the health of our infant population. Surely these farmers are entitled to our encouragement and protection against unfair foreign competition. In 1920 we imported 23,755,780 pounds of condensed and preserved milk and cream free of duty. During the month of May, 1921, we received from foreign countries 2,684,392 pounds free of duty, whereas the following month—being the month of June, 1921—after a duty of 2 cents per pound was imposed, the imports dropped to 354,681 pounds. What a marked contrast is shown by the comparative figures of imports during the corresponding periods of the seven months of 1920 and 1921.

Free of duty, 1920.		Duty of 2 cents per pound, 1921.	
June	4,196,279	June	354,681
July	4,584,718	July	623,398
August	2,628,895	August	594,007
September	1,190,632	September	3,501
October	1,560,298	October	34,963
November	978,867	November	43,390
December	962,242	December	1,491
Total	16,101,931	Total	1,655,431

Difference, 14,446,500 pounds.

BUTTER AND OLEOMARGARINE.

The statistics concerning importation of butter and oleomargarine are rather illuminating. Being a part of the dairy industry, it naturally follows that a free market would have a marked influence upon the price of this all important food product. Again, a tariff duty of 6 cents per pound showed a decrease in importation of butter during a period of seven months of 1921 over the corresponding months of 1920 of 18,937,940 pounds. During the year 1920 we imported free of duty 37,454,172 pounds.

Free of duty, 1920.		Duty of 6 cents per pound, 1921.	
June	3,186,559	June	33,884
July	8,311,404	July	191,748
August	2,737,265	August	149,886
September	2,574,064	September	397,929
October	2,455,315	October	1,858,409
November	2,798,684	November	1,925,560
December	4,033,754	December	2,601,689
Total	26,097,045	Total	7,159,105

Decrease of imports for seven months beginning the 1st of June, 1921, of 18,937,940 pounds.

CORN.

We all know that the United States is the world's great producer of corn. About 70 per cent of the entire corn crop of the world is grown in this country. Not over 20 per cent ever enters the channels of trade, and practically all of this is sold in the Eastern and Southern States. The Atlantic seaboard receives all the imported corn. The question then arises, Why should there be any need for a duty on corn? The answer naturally follows, To prevent speculators from depressing the natural market price of this product.

Why should we import corn from the Argentine, 6,000 miles from our eastern ports, if for any other reason than to create an artificial market and thereby lessen the price of corn for speculative purposes?

In 1920 we imported 7,784,482 bushels of corn, 7,028,422 bushels of which came from Argentina. All of this importation had a very serious influence upon the price of corn grown in Pennsylvania and Ohio. How quickly the importation of corn ceased with the enactment of the emergency tariff which put into effect a duty of 15 cents per bushel. The marvelous decline of importation for the corresponding seven months of 1921 as compared with those of 1920 amounts to 6,548,876 bushels:

Free of duty, 1920.		Duty of 15 cents per bushel, 1921.	
June	937,204	June	17,615
July	2,343,445	July	17,671
August	1,300,418	August	5,368
September	1,066,449	September	3,137
October	608,064	October	472
November	128,600	November	1,086
December	166,125	December	6,082
Total	6,600,305	Total	51,429

Decrease of imports for corresponding seven months of 6,548,876 bushels.

FRESH LAMB AND MUTTON.

One of the most startling injustices ever inflicted upon a great and sturdy people—the cattle and sheep growers of America—occurred when our markets were flooded by the importation of more than 100,000,000 pounds of fresh lamb and mutton during 1920 from New Zealand and Australia. They dumped their surplus supplies upon our market and thereby nearly ruined our sheep industry. The disastrous effect of this cruel and un-

warranted competition will require years of courageous effort to rehabilitate this important business. If we had had a protected market I am positive we should never have had this sad experience. How any American can advocate an open market after acquainting himself with all these facts and the suffering that it brought to the cattlemen of the West and Southwest is beyond my understanding. Beginning with the 1st of June, 1920, and comparing the imports with the corresponding imports of these products for 1921, for a period of seven months, we shall, in a measure, be able to appreciate the significance of this unrestricted competition.

Free of duty, 1920.		Duty of 2 cents per pound, 1921.	
June	2,033,200	June	103,826
July	5,181,526	July	113,801
August	13,956,578	August	617,243
September	18,460,700	September	1,237,402
October	27,024,972	October	1,301,338
November	13,791,198	November	1,244,103
December	10,648,347	December	1,416,208
Total	91,096,521	Total	6,033,921

Decrease of imports for seven months amounted to 85,062,600 pounds.

In view of the foregoing facts and figures how happy all must be who helped to enact this important legislation into law. It has dissipated every argument advanced against a protective tariff for farm products.

Personally I never agreed with the theory that a protective tariff should only apply to manufactured articles. The farming industry is just as essential to the well being of our country as are the great industrial plants of the Nation. The one is dependent upon the other. If the tariff is a good thing for the steel mills, the silk mills, the woolen mills, and the cotton mills, why then should it not be equally good for the farmers who raise potatoes, wheat, cotton, wool, milk, and all other farm products?

Our recent agricultural depression demonstrates this fact, and I confidently trust that the great inequality that has existed since 1913 may never again happen. If the Underwood tariff law enacted in 1913 under the Wilson administration had not placed all farm products upon the free list, I am positive the shock to our farming industry and its resultant harmful effect upon the Nation would not have been so severe. Let us take heed of this costly experience and resolve in the future to protect as well as preserve all the industries of this common country of ours. [Applause.]

The best market in the world is our own. We export but 15 per cent of our production. Why seek those distant and uncertain markets, far removed from our shores, while the American market waits upon us for action? Why not put our own strength to the test by stimulating mutual confidence and putting into effect the great dynamic energy that so successfully brought us to an early victory when the hope of triumph appeared afar off?

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. GERNERD. I ask that my time may be extended.

Mr. LINEBERGER. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended five minutes.

Mr. LINTHICUM. Mr. Chairman, I make the point that there is no quorum present.

The CHAIRMAN. The gentleman from California asks unanimous consent that the gentleman's time may be extended five minutes, and the gentleman from Maryland makes the point of no quorum. The Chair will count. [After counting.] Two hundred and one Members are present—a quorum.

Mr. LINEBERGER. I ask unanimous consent that the time of the gentleman from Pennsylvania [Mr. GERNERD] be extended five minutes.

The CHAIRMAN. Is there objection?

Mr. LINTHICUM. I object.

The CHAIRMAN. The gentleman from Maryland objects.

Mr. STEENERSON. Mr. Chairman, is there any time on this amendment?

The CHAIRMAN. All time on the pending amendment has expired.

Mr. STEENERSON. I move to strike out the last word.

The CHAIRMAN. That is not in order.

Mr. STEENERSON. I just wanted to stay a word about these surveys; but I suppose I will have to wait until the next item is read.

The CHAIRMAN. Without objection the pro forma amendment will be withdrawn. The question is on the amendment offered by the gentleman from Connecticut [Mr. FREEMAN].

The question being taken, on a division (demanded by Mr. FREEMAN) there were ayes 45, noes 35.

Mr. LONGWORTH. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Ohio makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred Members present, a quorum.

Mr. LONGWORTH. I ask for tellers, Mr. Chairman.

Tellers were ordered, and the Chairman appointed Mr. FREEMAN and Mr. LONGWORTH.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, a parliamentary inquiry. Is this a vote on the amendment?

The CHAIRMAN. This is a vote on the amendment.

The committee again divided; and the tellers reported—ayes 53, noes 32.

Accordingly the amendment was agreed to.

The clerk read as follows:

Big Timber Creek, N. J.

Mr. STEENERSON. Mr. Chairman, I move to strike out the last word. I just wish to make a few remarks on the question of these surveys. I have had several surveys in the river and harbor bill in past years. I have had several preliminary examinations of rivers and harbors, and I have never yet known of one that did not cost something. I think the statement that has been made here that it is absolutely without any expense, that all that is necessary in most instances is to write a letter or two, is inaccurate. It may be so in some cases, but I have known of none in my experience of 20 years. I have known preliminary surveys to cost a good many thousands of dollars and to result in adverse reports, so that there was no subsequent detailed survey made.

Mr. MONDELL. Would the Chief of Engineers be doing his duty if he did not make a survey when the Congress had ordered it made?

Mr. STEENERSON. Naturally, the Congressman who is instrumental in getting the item inserted in the bill will insist on the survey. It is rarely refused. In one case I recall the report on the preliminary survey was adverse. The first proposition was to improve the river for navigation by means of a reservoir system, and in the next river and harbor bill I got an item inserted for a survey to improve the river generally for navigation. That was also turned down on the preliminary examination. The last time I got an item inserted in the river and harbor bill providing that this survey should be made with a view not only to the improvement of the river for purposes of navigation but with a view to preventing floods and for purposes of drainage, in cooperation with local interests. That survey went through and cost something like \$5,000.

A detailed survey was made with plans and estimates, and as a result the recommendation was made that drainage and flood prevention part of the project amounted to nine-tenths of the last improvement. That the interests of navigation would be improved by only a very small extent. I think the total improvement was estimated to cost \$800,000, and that the improvement to navigation would amount to only \$10,000. So you see the item of improvement to navigation was very small indeed. The improvement is now going on at the expense of more than \$1,000,000, and will reclaim hundreds of thousands of acres of land, besides improving river navigation.

So these preliminary surveys are not as they have been represented here. They may be quite expensive, and I have known a preliminary survey costing a considerable sum to result in an adverse recommendation. You may insert such an item here without any knowledge as to what the proposition is. An item has just been adopted, and the gentleman offering it says he knows nothing about it. Nobody on the committee seems to know anything about it. It is simply an accommodation to a member. A member of the committee stated on the floor jocularly that all he needed was that somebody ask for a survey, and he said, "All right, let us put it in."

Now, I don't believe that ought to be done; I do not think the Government would be justified in spending its money blindly without any information as to the merits.

Mr. LAYTON. Upon what basis did the gentleman proceed in the first place when this proposition was turned down, as he says, three times?

Mr. STEENERSON. It was a scheme to improve navigation by means of reservoirs. It was meritorious, but not sufficiently important as a navigation proposition. The next survey of the same river resulted in the adoption of a plan or project valuable for reclamation by drainage and flood control, and the cost of that part of the project to be assessed against the land instead of charged to the Government.

Mr. LAYTON. Then the gentleman's scheme depended upon something that he knew nothing about.

Mr. STEENERSON. No. It depended on the cooperation of local interests, which pay nine-tenths of the cost, the Government only paying for improvement of navigation.

I protest against including items for surveys unless some one can give information and assurance that there is merit in the project.

Mr. WATSON. Mr. Chairman, I move to strike out the last word. The gentleman from Wyoming stated many of us are not directly interested in the development of rivers and harbors. Many of us are not directly interested in the sagebrush of the Middle West, but by reciprocity between the East, the West, the North, and the South, the one helping the other, it has developed a great Nation, until to-day we are the strongest Republic in the world. [Applause.] We are richer than any empire every known in the history of man. [Applause.] Although very much has been said against the surveys, I want to emphasize the wisdom of the committee in authorizing a survey of the Delaware River from Trenton to Easton.

Mr. MONDELL. Will the gentleman yield?

Mr. WATSON. Yes.

Mr. MONDELL. Will that survey cost anything?

Mr. WATSON. Of course it will.

Mr. MONDELL. I understood that the survey did not cost anything.

Mr. WATSON. All surveys do.

Mr. MONDELL. How much does the gentleman think it will cost?

Mr. WATSON. I do not know how much it will take. The cost, of course, will depend upon the time required, and the Government will pay the bill.

Mr. MONDELL. It would cost money, of course.

Mr. WATSON. Let me give an experience. A few years ago the Rivers and Harbors Committee authorized the survey of the Delaware River from Philadelphia to Trenton. That survey was made by Colonel Ledue. The Government brought him from the West that he would not be under the influence of the people of the East. Colonel Ledue was probably three months in making that survey, and he submitted a very extended report. He employed an assistant, several clerks, had a yacht at his command, and, of course, it cost money. He made an adverse report, but we appealed to the Committee on Commerce, which reversed the report because it believed in the development of the Delaware River and that it would be beneficial to the State of Pennsylvania as well as to the Federal Government.

In 1869 Congress appropriated a certain amount of money to deepen the channel 6 feet between Philadelphia and Trenton. No doubt at that time the Members of Congress opposed it, as they are opposing such appropriations to-day. In 1909 it was found that the channel was not deep enough, and there was an appropriation for a 12-foot channel. The result was that in 1919 over 800,000,000 tons of commodities were transported to and from Trenton. That city recently expended over \$1,000,000 for terminal facilities. Now we want an 18-foot channel. There will be a fight against that, but it will come later.

The idea of developing the upper Delaware from Trenton to Easton will be on account of the coal mines, the great cement industries, the stone quarries, the fertile lands on either side of the banks, which produce agricultural products for the great cities of Philadelphia and New York, and I believe it is a wise thing to develop the upper Delaware River, and I congratulate the committee upon its action. [Applause.]

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

Northeast River, Md.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word. Is there any gentleman on the committee who can give us some information in regard to this particular stream that it is proposed to have surveyed? I think these surveys ought to be made where there is some probability of developing navigation.

Mr. GOLDSBOROUGH. What stream does the gentleman refer to?

Mr. MONDELL. Any one of these streams, if the gentleman knows about them.

Mr. GOLDSBOROUGH. Northeast River, Md., is off the upper part of Chesapeake Bay, and is navigated principally by fishing vessels.

Mr. MONDELL. I am glad to have the information from the gentleman, but my inquiry was as to what the committee knew about the item and the reason for including it in the bill.

I yield to the gentleman from Maryland. He seems to be the only one who has information, although he is not a member of the committee.

Mr. GOLDSBOROUGH. I am not a member of the committee, but this particular improvement is in my district, which is the Eastern Shore district of Maryland. I gave the gentleman the information about the Northeast River.

Mr. MONDELL. Did the gentleman appear before the committee and make a statement in detail in regard to the stream?

Mr. GOLDSBOROUGH. I will give the gentleman the information about the items, if he desires it.

Mr. MONDELL. Did the gentleman appear before the committee?

Mr. GOLDSBOROUGH. That is a confidential matter between me and the committee which I do not feel disposed to discuss. I am willing to give the gentleman the information.

Mr. MONDELL. I would not have the gentleman discuss anything that is purely confidential. I had supposed that this was public business.

Mr. GOLDSBOROUGH. It is public business; but that question is not germane to the inquiry.

Mr. MONDELL. But if it is purely confidential I would not want the gentleman to divulge it. This is a confidential improvement of a river, I presume.

Mr. LAYTON. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. LAYTON. I can give the gentleman some specific information about one item. I refer now to the Christiana River, Del., from Newport to Christiana. It lies about 6 miles north of the city of Wilmington and it has three towns of considerable size upon its banks. It runs through the midst of a rich farming section, and it is desirable to have it surveyed to determine whether or not that part of the river can be dredged to accommodate a growing industrial and agricultural community.

Mr. MONDELL. Has the stream been improved at all?

Mr. LAYTON. Yes; up to Wilmington and a little beyond it. It runs through a section of the country with no rock of any kind, a section that is easily susceptible to dredging at a very low cost. We are simply asking for a survey to let the experts of the Government determine whether the river shall be further improved.

Mr. MONDELL. This is a very proper item, I should say, for survey.

Mr. LONGWORTH. Can we get some confidential information as to how much this will cost?

Mr. GOLDSBOROUGH. The gentleman can get all the information he desires.

Mr. LONGWORTH. Nobody will say anything outside of this Chamber about it, I assure the gentleman.

Mr. GOLDSBOROUGH. The gentleman can get the information if he wants it. Take Crisfield Harbor: That is the fourth port of entry in the United States, so far as the number of ships, not the size, that enter it is concerned. It is in the lower part of Chesapeake Bay, near the Virginia shore. Black Walnut Harbor, Md., is traversed by the packet boats from Baltimore to the eastern shore.

Mr. MONDELL. I have one other inquiry that I would like to submit to the gentleman: He has given us some valuable and interesting information; what is there about it that is confidential?

Mr. GOLDSBOROUGH. There is nothing about it that is confidential that I know of.

Mr. DEMPSEY. Mr. Chairman. If the gentleman will permit, the gentleman from Wyoming did not ask the gentleman from Maryland to divulge the testimony before the committee, but merely as to whether or not he appeared before the committee.

Mr. GOLDSBOROUGH. He asked for facts.

Mr. DEMPSEY. He asked whether the gentleman appeared before the subcommittee.

Mr. GOLDSBOROUGH. I did not appear before the subcommittee, but I talked to Mr. Duffé, and also to Mr. LAYTON.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. LINTHICUM. Mr. Chairman, I move to strike out the last two words. I think these are very important surveys in Maryland, especially at Crisfield and at Cambridge Harbor. If more Members of this Congress would visit Crisfield and Cambridge and ascertain the amount of shipping done at those points they would readily see that these surveys are necessary. I am always interested in river and harbor bills, especially under the new system of appropriating just what money is necessary to efficiently do the work. I can see no reason why these surveys should not be made, if necessary, and submitted to Congress, because, as has been stated, their necessity will be determined mostly upon data which they have already; and if it is not worth a real survey it will not be provided. This bill does not provide anything particularly for the city of Balti-

more, because the Congress has already been fair and just to Baltimore City, in that it has granted surveys of the harbor and river, so that we are well provided for so far as the present needs are concerned.

You talk about making a river and harbor bill popular with the people and to have them deeply interested in it. I will tell you how to do it, and that is let the people who are benefited by these appropriations and surveys do like Baltimore did—cooperate with the Government in developing its port and its channel. We have appropriated \$50,000,000 in Baltimore for improving our harbor and channel. Now let the people in other parts of this country where these improvements are provided and these appropriations are made to carry them into effect cooperate with the Government and show by their own taxation, by their own appropriation, by their own efforts, that the project is worthy, and you will never find any objection on the part of the people with reference to appropriations for rivers and harbors. Let them go down into their pockets as do the people of Baltimore, and you will accomplish great popularity for this bill.

Mr. DEMPSEY. I call the gentleman's attention to part 2, page 2109, of the Report of the Chief of Engineers, and he will see that, as against 98 surveys in this bill, in 1902 there were 170; 1905, 176; 1906, there were 2; in 1907 there were 200; 1909, 274—

Mr. LINTHICUM. I hope the gentleman will not take all of my time, as it will be impossible for me to get any more.

Mr. DEMPSEY. I will get the gentleman additional time.

Mr. LINTHICUM. The gentleman can not do it. I can not yield further. I do not know about the items the gentleman read because he has not stated to me what they are; but I repeat that Baltimore is cooperating and her harbor and channels have been taken care of in the appropriation bill which was passed for the purpose some time ago. Our surveys have been provided for, and we are quite well satisfied at this time. What I want to impress upon this committee is cooperation upon the part of the people who receive the benefit of these appropriations. If they will get busy and appropriate from their own pockets, provide by their own taxation and cooperate with the Government work, we will find no objection on the part of the people of this country to appropriations in a river and harbor bill. [Applause.]

Mr. FAIRFIELD. Mr. Chairman—

The CHAIRMAN. The gentleman is recognized in opposition to the pro forma amendment.

Mr. FAIRFIELD. Mr. Chairman, I want to call the attention of the chairman of the committee to this. This bill makes a wholesale appropriation, and these funds are not distributed, are they?

Mr. DEMPSEY. No.

Mr. FAIRFIELD. I mean authorizations; they are not distributed. How many survey provisions are authorized and under investigation?

Mr. DEMPSEY. I will have to examine to see.

Mr. FAIRFIELD. The gentleman is not aware of the number?

Mr. DEMPSEY. No; I think the reports are pretty well up to date. I do not think there are a very large number of surveys which have not been acted upon, and the reason I say that to the gentleman is that reports which have been referred to the Board of Engineers within a few weeks have been reported back within a few days.

Matters referred to them only a few weeks ago, some in this report, for instance, one in regard to Newark Bay was referred to the engineers only a few weeks ago, and the report was received about two weeks ago.

Mr. FAIRFIELD. Now, will these surveys, if they are authorized, necessitate specific appropriations, or can the money be taken out of the lump sum which has been already appropriated for rivers and harbors?

Mr. DEMPSEY. The military appropriation bill contains a specific item for examination of surveys and contingencies for rivers and harbors, for which there may be no special appropriation, of \$325,000, provided that no part of this sum shall be expended for any preliminary examination of a survey project or estimate not authorized by law.

Mr. FAIRFIELD. When authorized, then every one of these projects will take money from the projects already authorized and for which a survey has not been made?

Mr. DEMPSEY. To such extent as may be necessary, but the amounts will be small.

Mr. FAIRFIELD. I know there are some very important ones it might very seriously interfere with.

The Clerk read as follows:

Mulberry Creek, Lancaster County, Va.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word. Can the gentleman give us any information in regard to Mattox Creek, Va.?

Mr. DEMPSEY. I am not a member of the committee, but the matter came before the subcommittee, and I should say that the gentleman from Virginia [Mr. BLAND] could give the information.

Mr. BLAND of Virginia. Mr. Chairman, there was a bill introduced by me for a preliminary examination and survey of Mattox Creek. At the time this bill was considered I had other creeks and rivers to be considered, and so I submitted to the subcommittee a written memorandum of the information which had been received by me. I still have that report. I have the Mattox Creek item. I am informed that for many years the creek was used by steamers, but was finally abandoned on account of inadequate depth of water. I am advised that the commerce in that vicinity which can use this stream would aggregate about \$150,000. And on that I ask that there be at least a preliminary examination and survey.

Mr. MONDELL. The gentleman says that the stream has been abandoned by commerce.

Mr. BLAND of Virginia. It was abandoned by steamers because it had begun to fill up to such an extent that steamers no longer came up the stream. Commerce would still be on the creek in the way of small boats and fishing craft, and the hope in having this preliminary examination and survey is that it will show that the creek can be dredged out without unreasonable expense to such an extent that it can be used.

Mr. MONDELL. Of course, such a survey as the gentleman in his opinion desires, as in the opinion of Congress, will call for a survey that will take a considerable time to ascertain the measurements and depths, and all that sort of thing, and might cost quite a considerable sum of money.

Mr. BLAND of Virginia. I will say to the gentleman from Wyoming that I have had experience in some of these preliminary examinations and surveys. There were two creeks, or two authorizations, examined in my district. On them the total cost to the Government was probably about \$25, because an engineer from Wilmington came down and examined one on one day and examined the other the next. He was accompanied by a stenographer. Hearings were had at night. He was entertained in the community by people living there, and his only cost was his railroad fare from Wilmington to the eastern shore of Virginia and return.

Mr. MONDELL. Was the report favorable or unfavorable?

Mr. BLAND of Virginia. The reports on those cases were unfavorable. There has been a favorable report in one case, but the—

Mr. MONDELL. If the facts were so patent as to the non-navigability of the stream and the inadvisability of spending public money in the improvement of it, why could not that have been developed here in Washington as well as to have some gentlemen visit the community and enjoy the hospitality of Virginia, and tell the people that it was not navigable and could not be used?

Mr. BLAND of Virginia. Because it was a great deal easier for the people of that country to have one engineer go there and take the evidence of those people than to impose the burden upon those hard-working people to come to Washington and testify before a committee here.

Mr. MONDELL. They did not need to come.

Mr. BLAND of Virginia. They did need to come. The evidence was taken by the engineer on the ground. People were notified, 50 or 100 of them, and in each of these cases, I believe, there were at least 100 people there who testified as to the commerce on those streams, testified as to the commerce in that neighborhood, and as to the benefits to be derived therefrom.

Mr. MONDELL. I hope that will all redound to the credit of our friend from Virginia, although leading to an adverse report. Does the gentleman think that Mattox Creek could be examined for \$30?

Mr. BLAND of Virginia. I will answer the gentleman that I believe it could be examined for less, and I was going to give him the reason why I say so. I had other surveys—

Mr. MONDELL. Does the gentleman expect the result of the examination will also be adverse, as it was in the other cases?

Mr. BLAND of Virginia. I hope that it will be granted. It is impossible for me to say what the report will be.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

Mr. BLAND of Virginia. Mr. Chairman, the item for Mulberry Creek was read. I rose at the same time as did the gentleman from Wyoming to offer an amendment to that item.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. BLAND of Virginia: Page 14, line 4, after the word "Virginia," strike out the period and insert a comma and add the words "and entrance thereto from channel of Rappahannock River, Va."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia.

Mr. MONDELL. Mr. Chairman, I think we ought to know something about this amendment. It is highly important to know whether or not this committee is prepared to accept every amendment offered for a survey, without knowledge. I would like to hear from these gentlemen as to the matter of these surveys.

The CHAIRMAN. The gentleman from Virginia is recognized for five minutes in support of his amendment.

Mr. BLAND of Virginia. Mr. Chairman, the bill which I have introduced applied for a survey of Mulberry Creek and the channel connecting that creek with the Rappahannock River. When the committee framed the bill it only framed the bill for a survey of Mulberry Creek. The information which I gave to the committee was to the following effect:

I understand that there is adequate water in the creek itself, but that there are sand bars near the mouth where the creek empties into the Rappahannock River, and these sand bars need to be dredged in order to afford proper transportation facilities. The proposition is recommended to me as a necessary one. I understand that the people of that community are largely engaged in fishing and oystering, and an estimate given to me of the business for the year 1920 is in the sum of \$300,000, consisting of oysters, lime, lumber, oyster shells, potatoes, coal, gasoline, wood, canned tomatoes, farm products, and general merchandise. I understand that at present the products must be handled on lighters; that about 300 yards need to be deepened to furnish a much-needed harbor for small craft.

The idea is to get rid of these bars, which are 300 feet long, so that there will be an open entrance to that creek.

Mr. DEMPSEY. How long is this channel?

Mr. BLAND of Virginia. The creek is of considerable size.

Mr. DEMPSEY. What about the channel?

Mr. BLAND of Virginia. The channel to be dredged is about 300 yards.

Mr. BUTLER. How wide is this creek?

Mr. BLAND of Virginia. I really do not know. I have not seen it myself. I speak only from information that has been given to me.

Mr. MONDELL. How wide is the channel?

Mr. BLAND of Virginia. I want to say to the gentleman from Wyoming that this stream, which is designated here as a "creek," would appear to the people of Wyoming as great as the Atlantic Ocean. [Laughter.] It is as wide almost as the Potomac River.

Mr. MONDELL. The gentleman is long on assertion but short on argument.

Mr. BLAND of Virginia. Well, the gentleman can place any interpretation he pleases on what I have said.

Mr. LONGWORTH. Is the committee in favor of this amendment?

Mr. DEMPSEY. I think the committee is opposed to the amendment, but I have not given it consideration.

Mr. LONGWORTH. We desire, you know, to follow the committee. [Laughter.]

Mr. DEMPSEY. I have no knowledge as to the necessity for a survey.

Mr. LONGWORTH. Then the gentleman advises that we oppose the amendment?

Mr. DEMPSEY. I would not so advise the gentleman, but if he desires to do so he can.

Mr. LONGWORTH. Will the gentleman suggest that we vote against it?

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the Chairman announced that the "noes" appeared to have it.

Mr. BLAND of Virginia. Mr. Chairman, I call for a division.

The CHAIRMAN. The gentleman from Virginia calls for a division.

The committee divided; and there were—ayes 31, noes 43.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

Mr. ANDREWS of Nebraska. Mr. Chairman, I object to the vote on the ground that there is no quorum present.

The CHAIRMAN. The gentleman from Nebraska makes the point that there is no quorum present. The Chair will count. [After counting.] One hundred and six Members are present, a quorum. The Clerk will read.

The Clerk read as follows:

Onancock River, Va.

Mr. MONDELL. Mr. Chairman, can some member of the committee give us some information in regard to this river in Virginia?

The CHAIRMAN. The gentleman from Wyoming moves to strike out the last word.

Mr. DEMPSEY. Mr. Chairman, my understanding was that this bill was to be considered by sections. We are now on the ninth section, and the section has not been completely read.

Mr. LONGWORTH. Mr. Chairman, the gentleman asked unanimous consent himself to have the bill read by paragraphs.

The CHAIRMAN. The Chair will state that it was the order of the committee that the bill should be read by paragraphs. It is a reasonable request to make for information.

Mr. BLAND of Virginia. What is the item concerning which the gentleman asks?

Mr. MONDELL. Onancock River, Va.

Mr. BLAND of Virginia. Onancock River was passed, but I will be very glad to give the gentleman what information I have. I shall not try to make arguments of facts, but I will try to give facts.

This is an existing project, but the channel provided for in the existing project is a channel across the outer bar, a distance of 1,000 feet, 200 feet wide, 8 feet in depth at mean low water, and for straightening the river channel by cutting off projecting shoals to a depth of 7 feet at mean low water. It is desired to increase the depth at bar to 9 feet, and otherwise to 8 feet. The waterway is a very important one.

Mr. MONDELL. What is the gentleman reading from?

Mr. BLAND of Virginia. I am reading from the memorandum I gave to the subcommittee on surveys of the Committee on Rivers and Harbors, which memorandum collected the information that was in my possession at that time, and which is as complete information on the subject, in a few words, as I am able to give the gentleman. This is a copy of the paper that I gave to the members of the subcommittee.

Mr. DEMPSEY. Will the gentleman yield?

Mr. BLAND of Virginia. Yes.

Mr. DEMPSEY. I will suggest also that he will find the matter treated in part 1 of the report of the Chief of Engineers at page 590.

Mr. BLAND of Virginia. Yes.

Mr. MONDELL. If this river has been improved, why is another survey necessary?

Mr. DEMPSEY. We sometimes make second improvements on rivers and harbors throughout the United States. That is not an uncommon practice.

Mr. MONDELL. If the river is being improved, I should assume that they would know something about it.

Mr. DEMPSEY. As has been stated, it began in the Delaware River with an improvement to a depth of 6 feet, and then they got to a depth of 12 feet, and then it went to a depth of 18 feet. River and harbor improvements are progressive, and sometimes they find, for instance, that they have to improve up to a wharf where a wharf had not been placed before. Great industries grow up along the stream and they make necessary corresponding improvements.

Mr. MONDELL. My recollection is that where that is done the item specifically provides for the character and purpose of the survey. Here is a stream that has been partly improved, and I understand from the gentleman from Virginia that the purpose is to improve it to a greater extent or in some other part of the stream.

Mr. BLAND of Virginia. To increase the depth.

Mr. McLAUGHLIN of Michigan. The engineers will recommend the improvement of a river or harbor in a particular manner and to a particular extent. The Congress of the United States adopts that recommendation, and that becomes a project. When it is carried out and completed, the authority of the engineers over that project ceases. If the project is to be changed in extent or character, it must have authority to make a survey to determine whether or not it is advisable to the extent of the proposed change.

Mr. MONDELL. I think we understand that; and yet, if the gentleman will allow me, it occurs to me that where a river has been improved and it is the purpose to make still further improvement, the item for the survey ordinarily makes some reference to and provision for the character of the new survey.

The CHAIRMAN. The time of the gentleman from Wyoming has expired. Without objection, the pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

Mattaponi River, Va., from Walkerton to Aylett.

Mr. LOWREY. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Mississippi offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LOWREY: On page 14, between lines 10 and 11, insert the following paragraph: "Tallahatchie and Coldwater Rivers, Miss., and the tributaries of these rivers, with a view to devising plans for flood protection and determining the extent to which the United States should cooperate with the State and other communities and interests in carrying out such plans, its share being based on the value of protection to navigation."

Mr. LOWREY. Mr. Chairman, I agree with the gentleman from Wyoming [Mr. MONDELL], and I voted against the increase of the appropriation to \$42,000,000, because I did not believe in wasting money on small streams and unnecessary projects; but the situation here is just this: The hill country extends away to the east and slopes very much like this floor, and there have been a lot of drainage districts organized, and the creeks up there have been straightened by means of canals, and the water rushes rapidly from those hills, and when it reaches the Mississippi bottom, in this flat country, in the last two or three years the flood waters have spread out over everything. In this way a great deal of valuable land is being ruined. Legally these streams are navigable. The Government has appropriated money in the past to keep them open, and there has been a little navigation on them. So they are under Government control and not local control. The people there are desperately anxious to get at some means by which they can cooperate with the Government to protect their lands from the floods and still, if desired, keep these streams open as navigable streams.

Mr. MONDELL. Will the gentleman yield?

Mr. LOWREY. Yes.

Mr. MONDELL. Is not this more a matter for the Committee on Flood Control rather than the Committee on Rivers and Harbors?

Mr. LOWREY. I have an idea that it would go to the Flood Control Committee, but the matter has to do with navigation of these rivers, and that will have to be disposed of. The amendment asks for a survey in order that they may determine between the National Government, the State, and so forth, as to the extent to which each shall participate in protecting that country from these rivers.

Mr. LONGWORTH. Has the gentleman presented his amendment heretofore to the committee?

Mr. LOWREY. Yes; I went with my map twice to the committee room with the amendment. The committee had accepted the amendment, but when they began to make so many objections to the committee amendments I took it back from the committee and have offered it myself.

Mr. LONGWORTH. The gentleman received his amendment from the gentleman from Connecticut [Mr. FREEMAN]?

Mr. LOWREY. Yes.

Mr. LONGWORTH. The gentleman from Connecticut would have offered it?

Mr. LOWREY. I left it with the committee.

Mr. DEMPSEY. The committee has taken no action as a committee in regard to it, but I am going to ask for some information.

Mr. LONGWORTH. The gentleman from Mississippi says it was authorized by the committee.

Mr. CAMPBELL of Kansas. The gentleman from Connecticut said he presented a committee amendment, and the gentleman from Mississippi said that he got the amendment from the gentleman from Connecticut.

Mr. LOWREY. I want to state that I went twice to the committee room with my map, and on yesterday morning when they had their final meeting I went to present it to the full committee; but they were very busy. I had given it to the chairman and the secretary, and we had gone over it, and I told them that if they wanted any further information I was ready to give it to them.

Mr. LONGWORTH. Was the objection of the committee based on the large cost for such a survey?

Mr. LOWREY. I do not think it would be very large. The citizens who have written me seem to want the Government to adopt some plan by which matters can be adjusted between the State and the Government. They expect to bear their share when they have authority to do what is agreed to be done.

Mr. LONGWORTH. I thought by the reading of the amendment that it not only called for a survey with reference to this creek but to the tributaries, and it occurred to me that the committee might object to it by reason of the cost.

Mr. LOWREY. I would be willing to have the tributaries stricken out. All I want is the survey of the stream.

Mr. DEMPSEY. All I can say is that the committee has not had an opportunity to consider it as a committee. The gentleman

came to us a little late, and I am sorry we did not have the time to investigate it.

Mr. LOWREY. I say I got my appeal from the citizens very late; they are in agony now over the flood in that district.

Mr. Sisson. Mr. Chairman, I am somewhat familiar with the situation there. The people themselves want to know what they themselves may do. They do not object at all to paying whatever is necessary or what is right for them to pay, but they want, of course, permission from the Secretary of War or the Federal Government. The only way the Federal Government can determine the matter is by a survey.

Mr. DEMPSEY. Will the gentleman state to the committee in a brief way what is involved in the matter?

Mr. Sisson. I can not tell, of course, how many acres of land are involved.

Mr. DEMPSEY. What are the streams; are they navigable; can they be made navigable?

Mr. Sisson. There are so many streams called navigable which I doubt are navigable, but they are put on the maps as such.

Mr. LONGWORTH. How many streams are involved in the amendment?

Mr. Sisson. Only one stream involved. I presume that they put in the word tributaries because where the other streams come in it may require a little work. How much of this matter is flood control and for protection of the land, and how much relates to the navigation of the river, the survey will determine. I do not believe the people themselves know. It requires no engineering work. It is just a survey to determine how much the Federal Government should pay, if anything.

Mr. DEMPSEY. I understand this involves the Tallahatchie and the Coldwater Rivers. I find that both of these are under improvement. The projects have been adopted, and the facts are set out at page 1157 of Part I of the Report of the Engineers for 1921. They have a small tonnage.

Mr. Sisson. I will state to the chairman that this is not so much a question of importance to the Federal Government, so far as navigation is concerned, as it is to the local property owners. I do think that these people ought to be permitted to know just what they may and may not do.

Mr. DEMPSEY. I will say to the gentleman that in this present bill there is provision for doing certain work up in Wisconsin, the cost of which will be \$15,000 to the Government, while to the State of Wisconsin it will be over \$700,000. The entire cost, except simply the cost of supervision, is borne by the locality. That is not an infrequent thing, I would say. The commerce on these two streams was \$5,000,000 in 1919 and \$3,000,000 in 1920.

Mr. Sisson. I say frankly that I do not think there is that much or that there ever will be that much navigation on the Tallahatchie River. That is not the question, but the question is how much will the people be permitted to do themselves, whether or not this can be altogether a reclamation project or how much of it is navigation.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. MONDELL. Mr. Chairman, I rise in opposition to the amendment. I want to ask the gentleman from Mississippi [Mr. Sisson] this question: Does he not think, if we are going to legislate for rivers and harbors, that it would be well to keep the river and harbor bill free from drainage and reclamation projects?

Mr. Sisson. I think so. I agree with my friend about that. There is no difference of opinion about that. This thing does not involve the expenditure of a dollar by the engineers. It is simply a question of a survey for the purpose of classifying the river and this work.

Mr. MONDELL. I shall be very glad to support that in the proper place.

Mr. Sisson. This is the only place to put it.

Mr. LITTLE. How is it classified now?

Mr. Sisson. As a navigable stream.

Mr. LITTLE. That is what is the matter with it, is it not? You want to get it unclassified, so to speak?

Mr. Sisson. Personally, I do not care one way or the other. But it should be either declared navigable or not, as facts are.

Mr. LITTLE. That would be the result of this survey.

Mr. Sisson. I do not know what the result would be. The engineers might say it is navigable.

Mr. MONDELL. It is not going to be the result unless the Congress acts, because a navigable stream is navigable until it is declared nonnavigable by act of Congress. Some one stated here in the course of the debate that one of the purposes of these surveys was to declare streams nonnavigable. That

could only result in case Congress acted, and Congress very infrequently acts along those lines.

Mr. LITTLE. Is it not the fact that the folks down there can not do anything because it is a navigable stream?

Mr. SISSON. That is correct.

Mr. MONDELL. Mr. Chairman, it is highly important that the river and harbor bill be kept a river and harbor bill, free from questionable projects.

Mr. SISSON. But the Committee on Rivers and Harbors does not want to give up control of navigable streams, except with its own consent and on information obtained by their own engineers. I think it is right. I think it is the proper thing to do. I do not think it involves an expenditure necessarily of one single dollar, but I do believe the people down there have a right to know where they stand.

The CHAIRMAN. Without objection the pro forma amendment will be withdrawn, and the question is on the amendment offered by the gentleman from Mississippi [Mr. LOWREY].

The question was taken; and on a division (demanded by Mr. SISSON) there were—ayes 55, noes 25.

Mr. LONGWORTH. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Ohio makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and four Members present, a quorum.

Mr. LONGWORTH. Mr. Chairman, I demand tellers.

The CHAIRMAN. The gentleman from Ohio demands tellers. As many as are in favor of taking the vote by tellers will rise and stand until counted. [After counting.] Seventeen Members have risen, not a sufficient number and tellers are refused. So the amendment was agreed to.

The Clerk read as follows:

Cape Fear River, below Wilmington, N. C., and between Wilmington and Manassa.

Mr. LYON. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 14, line 15, after the word "and," strike out the word "Manassa" and insert "Novassa."

Mr. LYON. Mr. Chairman, I ask to withdraw the amendment.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

Mill Gut, North Harlowe, Craven County, N. C.

Mr. CAMPBELL of Kansas. Mr. Chairman, I would like to know something about the item on line 18. Who knows something about Mill Gut?

Mr. WARD of North Carolina. That is within the district of Mr. Brinson, who died lately. I am sure it is in his home county, where he lived. I can not give the gentleman any information, but simply rose because I knew that was so.

Mr. CAMPBELL of Kansas. Can anybody give any information about this?

Mr. CONNALLY of Texas. Possibly the clerk of the committee.

Mr. DEMPSEY. Mr. Chairman, a bill was introduced by Mr. Brinson to cover this matter. He appeared before the subcommittee in reference to it. Personally, as I say, I was not a member of this subcommittee on surveys and I have no information in regard to it.

Mr. CAMPBELL of Kansas. Is Mill Gut a creek or a river?

Mr. BARKLEY. Does it not speak for itself?

Mr. CAMPBELL of Kansas. Apparently nobody else speaks for it.

Mr. GARNER. At least it will have the assumption of innocence.

Mr. CAMPBELL of Kansas. Are we to pass this item without information from anybody in respect to it?

Mr. LAYTON. Move to strike it out if you want to do so; that is the way to do business, instead of delaying the passage of a bill reported by a standing committee.

Mr. CAMPBELL of Kansas. Do members of the committee want this item to pass without any information?

Mr. DUPRÉ. We do. [Laughter.]

Mr. DEMPSEY. In response to the inquiry of the gentleman from Kansas I will say in reference to these surveys—

Mr. CAMPBELL of Kansas. No; this item.

Mr. DEMPSEY. I may say in reference to this item it is utterly impossible for a committee to take testimony with regard to surveys and to preserve the evidence.

Gentlemen who are members of that subcommittee do not any of them live in the vicinity; they have to take testimony and act upon it as it appears to them at the time. They have no

way of preserving it. They can not come on the floor of the House weeks and perhaps months later and remember the testimony. This bill was introduced the 7th day of March, as the gentleman from Kansas will remember. That is about two months ago. Testimony was probably taken two months before that—four months ago. With no means of preserving what was said and with no personal familiarity with the subject it is very natural that gentlemen should not remember all the facts. It would be utterly impossible for any member of the committee to remember the testimony as to all of these items.

Mr. CAMPBELL of Kansas. Was there evidence taken in respect to this?

Mr. DEMPSEY. The subcommittee obtained information as to every item.

Mr. CAMPBELL of Kansas. And no record kept of the evidence?

Mr. DEMPSEY. They do not take evidence in the sense of having the service of a stenographer, and never have. They simply have them appear before the subcommittee and state the facts, and the subcommittee reports upon the evidence which is taken.

Mr. LONGWORTH. Is there a member of the subcommittee here on the floor?

Mr. DEMPSEY. Mr. Dupré is a member of the subcommittee, and he is at the service of the gentleman from Ohio.

Mr. LONGWORTH. The gentleman from Louisiana said he wanted us to take it without information.

Mr. DUPRÉ. I beg the gentleman's pardon.

Mr. LONGWORTH. He disagreed on the ground that there was no information.

Mr. DUPRÉ. All I can state with reference to information on the subject is that the gentleman from North Carolina [Mr. Brinson] spoke to me about the item. I do not recall the details of the matter. He has departed this life, and it seems to me it is a very ill time for the gentleman from Kansas to try to make us believe he is a wit—which he is not.

Mr. CAMPBELL of Kansas. The "gentleman from Kansas" would never endeavor to measure his wit with the gentleman from Louisiana—at times.

Mr. LONGWORTH. Mr. Chairman, I move to strike out the last two words.

I want to see if I thoroughly understand this situation. As I understand it, the Army appropriation bill, which passed the House and is now slumbering, possibly, in the Senate, carried an appropriation of \$250,000 to be expended next year on such surveys, or a portion of such surveys, as might thereafter be authorized by Congress. Now, is or is this not the fact, I ask the gentleman from New York [Mr. DEMPSEY]? The Secretary of War, being authorized and directed to select certain of these projects—in fact, directed to select them all eventually—would it not be possible to expend that whole \$250,000 this year on the first 10 surveys provided for?

Mr. DEMPSEY. Theoretically possible, but not humanly possible. That has not been the experience of the committee. You have to reach a decision, not in some absurd way, not in some impossible way, not in some way that the wild flight of fancy of the gentleman from Ohio might suggest, but in a way that experience with the matter in the past has demonstrated it will result in in the future. We find the present situation to be this: We have just looked over the surveys, and we find that there are 80 of them that have not been reported upon. That is all that are left at the present time. We find, for instance, as I stated a few minutes ago, a report on Newark Bay, a very important project, indeed, one of the most important in the United States, was sent to the engineers for reexamination perhaps six weeks ago. It passed through the district engineer, the Board of Engineers, the Chief of Engineers, and was back on the Speaker's desk within probably two to three weeks from the time that it was rereferred. So experience demonstrates two things.

First, that within the appropriation which has been made annually for many years, and which is about the amount that was appropriated this year, the surveys, whatever their number—and in most years the number is much larger than this year, generally two or three times as many—are made within the appropriation, and the reports are made with reasonable dispatch.

Mr. LONGWORTH. Surely, if the gentleman will pardon me, some of these surveys will take more than a year.

Mr. DEMPSEY. Now, coming to the second question as to whether the engineers would arbitrarily select the first 10 surveys in the bill—

Mr. LONGWORTH. I do not think they would, of course.

Mr. DEMPSEY. Or select any 10—

Mr. LONGWORTH. Any 10.

Mr. DEMPSEY. What the engineers would do is what they have done in the past. When they found a survey was as important as the Newark Bay project—and I could call attention to a number of projects in the present bill where our experience has been similar to that with the Newark Bay project—they select surveys that are important to the commerce of the country—they see that those surveys are reported on promptly and returned to the Speaker's desk at the earliest date possible. The others, that are relatively unimportant, they see if they have the data, which they can gather in the office of the Chief of Engineers, from geographies, from encyclopedias, by writing letters to the district engineers, and get such information as they can get from them. The testimony before the committee is and always has been that with a great number of the smaller surveys they get their data and make up the report without finding it necessary to go upon the ground. So two things result. First, as I say, they can not exceed the appropriation, and within the appropriation they are able to report promptly upon all of the surveys included in the bill, and they are taken up in the order of their importance. I again call attention to the fact that while this bill started out with an attack upon the surveys which are of trivial importance there is much in this bill that is of vital importance to this country.

Mr. LONGWORTH. I agree with the gentleman.

Mr. GARNER. Mr. Chairman, I rise in opposition to the amendment of the gentleman from Ohio.

Mr. Chairman, it seems that it is nearly 6 o'clock, and I do not think the House has been treated at this session with the kind of performance that we have seen here this afternoon. [Applause.] You Republicans are always talking about disorganization. How can you expect the Republican Party in the House to stay organized when you have a unanimous report from a standing committee of the House, the Committee on Rivers and Harbors; you have a steering committee that passed upon the proposition of its consideration, composed of the gentleman from Ohio and others; a rule brought in by the Committee on Rules, a partisan committee, and a unanimous report; and then you have the leader of the Republican Party here attacking the bill on the floor of the House? [Applause.]

Mr. LONGWORTH. Will the gentleman yield?

Mr. GARNER. Certainly.

Mr. LONGWORTH. The only question that I have asked, the only opposition I have made to this in any way, was to an amendment or two introduced on the floor of the House.

Mr. GARNER. The gentleman is attacking an amendment that was already in the bill.

Mr. LONGWORTH. The gentleman did not attack it.

Mr. GARNER. The gentleman from Wyoming did.

Mr. MONDELL. The "gentleman from Wyoming" did nothing of the kind. The "gentleman from Wyoming" asked for information.

Mr. LAYTON. Will the gentleman from Texas yield?

Mr. GARNER. Certainly.

Mr. LAYTON. It is just as plain as the nose on another man's face only 2 feet away that certain gentlemen in this House have been endeavoring to delay the passage of this bill.

Mr. GARNER. I can understand how they can delay the passage, but can not understand, to save my life, how the Republican organization, through its leader, through its chairman of the Rules Committee, through one of the most influential men on the steering committee, will undertake to repudiate your own action. You talk about keeping your organization together. If we did that on our side of the House, if we would not keep together, we would beat the motion.

Mr. BEGG. Will the gentleman yield?

Mr. GARNER. Certainly.

Mr. BEGG. Does it worry the gentleman much?

Mr. GARNER. It worries me to the extent that you are keeping me after 6 o'clock.

Mr. BEGG. If the gentleman wants a quorum, I will call for one.

Mr. GARNER. The Chairman always counts a quorum. I merely rise to call attention to the fact when the gentleman from Wyoming [Mr. MONDELL], the gentleman from Kansas [Mr. CAMPBELL], and the gentleman from Ohio [Mr. LONGWORTH] refuse to stand with the organization. I think it proper to call attention to their performance here this afternoon. It will not lie in their mouths in the future to chide their brethren for not following their organization, because they have repudiated their own action. I think the attention of the country ought to be called to it. It only emphasizes the disorganization of the Republican Party throughout the country. [Applause on the Democratic side.]

Mr. MONDELL. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Texas.

Mr. BEGG. Mr. Chairman, I make the point that there is no quorum present.

Mr. MONDELL. It is quite proper for the gentleman from Texas to lecture this side.

The CHAIRMAN. Does the gentleman from Ohio [Mr. BEGG] withhold his point of no quorum?

Mr. BEGG. I will withdraw it.

Mr. MONDELL. The gentleman from Texas has not stated the facts quite accurately. It was said that at the beginning of the discussion an attack was made on a survey item. An inquiry was made. When did it occur that an inquiry in regard to a provision in a bill was an attack? Have we reached the point where gentlemen may not make inquiries in regard to legislation pending before the House without being charged with making an attack upon it?

Now, "the gentleman from Wyoming" has endeavored to aid the Committee on Rivers and Harbors to bring in a bill. The gentleman has cooperated with the committee to that end. But members of the Committee of the Whole are entitled to know the facts. When a lot of items are offered from the floor in regard to which it is confessed that we have received no information, certainly gentlemen can not be criticized if they insist that that is not the proper procedure.

So far as "the gentleman from Wyoming" is concerned, he hopes that this committee will keep its bill defensible. It is true the committee put on a drainage item a moment ago, and other items will be offered, no doubt. The gentleman desires to support the bill, but notwithstanding the majority that appears to be interested in these items, I think it is in the interest of the country as well as of the committee that this bill shall be kept in some reasonably defensible form. At any rate, I understand that we are not to be called upon to vote on certain amendments that were to have been presented; that is so much gained by the inquiries that have been made. [Applause and cries of "Vote!"]

Mr. DEMPSEY. Mr. Chairman, I simply want to correct one misapprehension. The chairman of the committee did not state that the committee has no information. The chairman of the committee simply said that this testimony as to these surveys was taken about four months ago, was taken orally, was taken in the way it is ordinarily taken, and it could not be hoped that the members of the committee could carry in their minds all of the data for the long period which had elapsed. On the other hand, it is true that as to most of these items ample information has been furnished. Occasionally you can pick out an item where the members of the committee do not have a distinct recollection of what occurred so long ago, but they did deal with it fairly and intelligently at that time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Tombigbee River, Ala. and Miss., and canal connecting the Tombigbee and Mississippi Rivers.

Mr. DUPRÉ. Mr. Chairman, by direction of the committee I offer the following amendment.

The CHAIRMAN. The gentleman from Louisiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DUPRÉ: On page 15, between lines 12 and 13, insert the following paragraphs:

"Waterway from Bayou Teche, La., to the Mermontau River.

"Waterway from Lake Charles, La., to the Sabine River, Tex. and La., through the Calcasieu River and the Intercoastal Waterway from Calcasieu River, La., to the Sabine River, Tex. and La."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Louisiana.

Mr. CHINDELOM. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. CHINDELOM. We had not reached that point, had we?

The CHAIRMAN. What is the point of order that the gentleman makes?

Mr. CHINDELOM. That we had not reached that point in the reading.

The CHAIRMAN. We had.

Mr. LONGWORTH. Do I understand the gentleman from Louisiana to say that this is by direction of the committee?

Mr. DUPRÉ. By direction of the Committee on Rivers and Harbors.

Mr. LONGWORTH. The full committee.

Mr. DUPRÉ. The entire committee.

The CHAIRMAN. The pending amendment is virtually two amendments, one relating simply to waters within the State of Louisiana and the other relating to waterways partly in Louisi-

ana and partly in Texas; but the Chair thinks it is in order in this way. The question is on agreeing to the amendment offered by the gentleman from Louisiana.

Mr. MONDELL. Has the gentleman any information with regard to this particular waterway?

Mr. DUPRÉ. I happen to have some information on the subject, but I do not know whether the gentleman will avail himself of the information if I give it to him, so perhaps he will let the amendment go through at this late hour without any further discussion.

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

The Clerk read as follows:

Rio Grande River, at El Paso, Tex.

Mr. NEWTON of Missouri. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. NEWTON of Missouri: On page 15, between lines 20 and 21, insert the following:

"Missouri River, between Kansas City, Kans., from the upper end of Quindaro Bend, and Sioux City, Iowa."

Mr. NEWTON of Missouri. Mr. Chairman, I offer this amendment at the request of the gentleman from Nebraska [Mr. JEFFERIS]. We had it up before the full committee and the full committee adopted it.

Mr. LONGWORTH. It is by direction of the committee?

Mr. NEWTON of Missouri. Yes.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri.

The amendment was agreed to.

The Clerk read as follows:

Tillamook Bay and River, Oreg.

Mr. HAWLEY. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Oregon offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HAWLEY: Page 17, line 9, strike out "Tillamook Bay and River, Oreg.," and insert in lieu thereof the following paragraph:

"Tillamook Bay and entrance, Oreg.; Tillamook River, Oreg."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Deer Island Slough, Oreg.

Mr. HADLEY. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Washington offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HADLEY: Page 17, between lines 18 and 19, insert the following paragraph:

"Deep River, Wahkiakum County, Wash., and entrance thereto."

Mr. HADLEY. Mr. Chairman, I wish to say for the information of the committee that I offer this amendment on behalf of my colleague [Mr. JOHNSON of Washington], who is unavoidably absent on account of illness. I regret to say that I know nothing about the merits of the proposition. The amendment was handed to me this afternoon, and my colleague has been in the hospital for several days.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington [Mr. HADLEY].

The amendment was agreed to.

The Clerk read as follows:

Entrance to Port Orchard Bay, Wash.

Mr. HADLEY. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Washington offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HADLEY: Page 17, between lines 19 and 20, insert the following paragraph:

"Skagit River, Wash."

Mr. HADLEY. Mr. Chairman, this is a large river in my district, and there is an old improvement with reference to the local project; but I think the conditions of the river are such that there should be a general survey above the point where it has been improved. It will take some time to explain it, but I am quite sure that Members would agree that it is a meritorious project.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington.

The amendment was agreed to.

The Clerk read as follows:

Entrance to Port Orchard Bay, Wash.

Mr. ROACH. Mr. Chairman, I move to strike out the last word. I only intend to take a moment of your time. This afternoon when I offered an amendment to section 5 of this bill there was some confusion as to just what the estimates covered in the \$42,000,000 appropriation that was estimated as money necessary for river and harbor improvement. I have since that debate arose secured a copy of the printed estimates by the Chief of Engineers office setting forth the particular items that go to make up the \$42,000,000 that was estimated to be the minimum amount required for river and harbor improvement. In those estimates are contained contracts for four sea-going dredges for use on the Atlantic and Pacific Oceans, \$3,000,000.

I call attention to that for the reason that I expect to make a motion to recommit the bill in order that the amendment may be voted upon. I want the committee to understand that if this amendment that I have offered is not adopted that we are taking out of the \$42,800,000 fund the sum of \$1,500,000, and I do not believe there is a Member of this House that intended that any sum should be taken out of that. If the committee wants to take out \$1,500,000 from the \$42,000,000 fund for the construction of dredges to go on the Pacific Ocean and Atlantic Ocean and thus rob the inland rivers of that amount, it is their right, but I expect to carry it to the floor of the House, because the \$42,000,000 was inadequate to begin with, and it should have been \$62,000,000. I am not going to subscribe to any bill that will take any portion of it, particularly a sum as large as \$1,500,000, and spend it on the Atlantic and Pacific Oceans, and where it will not do the inland rivers any good.

The Clerk completed the reading of the bill.

The CHAIRMAN. The committee having completed the reading of the bill for amendment, and no Member desiring to offer a further amendment, the committee under the order of the House will rise.

Accordingly the committee rose; and Mr. WALSH, Speaker pro tempore, having taken the chair, Mr. STAFFORD, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 10766, authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, and having adopted sundry amendments, he reported the bill back to the House with the amendments.

The SPEAKER pro tempore. Is there a demand for a separate vote on any amendment?

Mr. LONGWORTH. Mr. Speaker, I demand a separate vote on all the amendments to section 9. In the interest of the speedy passage of the bill, I ask unanimous consent that they may be voted on en bloc.

The SPEAKER pro tempore. The gentleman from Ohio asks unanimous consent that the amendments to section 9 be voted upon en bloc. Is there objection?

There was no objection.

Mr. BEGG. Mr. Speaker, I make the point that no quorum is present.

The SPEAKER pro tempore. The gentleman from Ohio makes the point that no quorum is present. Evidently there is no quorum present.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The question was taken; and on a division (demanded by Mr. STAFFORD) there were 44 ayes and 53 noes.

Mr. MONDELL. Mr. Speaker, I ask for tellers.

The SPEAKER pro tempore. The gentleman from Wyoming asks for tellers. Those in favor of taking the vote by tellers will rise. Thirty-six Members have arisen, not a sufficient number, and tellers are refused.

Mr. GARNER. Mr. Speaker, I move a call of the House.

The question was taken, and the motion was rejected.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that when the House adjourn to-day it adjourn to meet on Monday.

The SPEAKER pro tempore. That request is not in order, as there is no quorum present.

Mr. STAFFORD. No business can be transacted until a quorum is present.

The SPEAKER pro tempore. The gentleman from Wisconsin is correct.

Mr. GARNER. Mr. Speaker, having no quorum present, and the House having refused to adjourn, I guess we will all be seated to await developments by the gentleman from Wyoming.

The SPEAKER pro tempore. The Chair will state that in the absence of a quorum the House can vote to adjourn, can order a call of the House, and order the Sergeant at Arms to bring in the absentees. No other business is in order.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I renew the motion that the House do now adjourn.

The question was taken; and on a division (demanded by Mr. BARKLEY) there were—ayes 68, noes 28.

So the motion was agreed to. Accordingly (at 6 o'clock and 20 minutes p. m.) the House adjourned until to-morrow, Saturday, May 20, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

613. Under clause 2 of Rule XXIV, a letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and a partial survey of Tennessee River and tributaries, in North Carolina, Tennessee, Alabama, and Kentucky (H. Doc. No. 319), was taken from the Speaker's table, referred to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. BLAND of Indiana: Committee on Industrial Arts and Expositions. H. J. Res. 170. A joint resolution to approve the holding of a national and international exhibition in the city of Philadelphia in 1926 as an appropriate celebration of the one hundred and fiftieth anniversary of the signing of the Declaration of Independence; with amendments (Rept. No. 1017). Referred to the Committee of the Whole House on the state of the Union.

Mr. BLAND of Indiana: Committee on Industrial Arts and Expositions. S. J. Res. 173. A joint resolution authorizing the President to appoint a commission to represent the Government of the United States at the centennial celebration of the independence of Brazil, to be held at Rio de Janeiro in September next; with amendments (Rept. No. 1018). Referred to the Committee of the Whole House on the state of the Union.

Mr. VOLSTEAD: Committee on the Judiciary. H. R. 9218. A bill to incorporate the American Mathematical Society; with an amendment (Rept. No. 1019). Referred to the House Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on the Post Office and Post Roads was discharged from the consideration of the bill (H. R. 6339) for the relief of Carol A. Dickson, and the same was referred to the Committee on Claims.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. MILLER: A bill (H. R. 11706) granting a certain right of way with authority to improve the same across the old canal right of way between Lakes Union and Washington, King County, Wash.; to the Committee on Military Affairs.

By Mr. HUDDLESTON: A bill (H. R. 11707) to regulate interstate commerce in the products of child labor; to the Committee on Interstate and Foreign Commerce.

By Mr. HAYDEN: Joint resolution (H. J. Res. 328) reappropriating \$150,000 for completing construction of a diversion dam on the Gila River Indian Reservation, Ariz.; to the Committee on Appropriations.

By Mr. LEHLBACH: Joint resolution (H. J. Res. 329) authorizing the President to require the United States Sugar Equalization Board (Inc.) to take over and adjust the importation or importations of sugar from the Argentine Republic, which importation or importations were made at the request of the Department of Justice to relieve the shortage during the year 1920, and direct the said board to pay the losses sustained on such importations; to the Committee on Agriculture.

By Mr. HAMMER: Joint resolution (H. J. Res. 330) to authorize the Commissioners of the District of Columbia to effect daylight saving; to the Committee on the District of Columbia.

By the SPEAKER (by request): Memorial of the Legislature of the State of Kentucky, urging the same relief for those who lost in the operation of their business during the year 1920 regarding tax exemption as those who lost during the years 1919 or 1921; to the Committee on Ways and Means.

By Mr. CAREW: Memorial of the Legislature of the State of Kentucky regarding tax exemption to those who lost in the operation of their business during the year 1920 the same as those who lost during the year 1919 or 1921; to the Committee on Ways and Means.

By Mr. KISSEL: Memorial of the Legislature of the State of Kentucky regarding tax exemption to those who lost in the operation of their business during the year 1920 the same as those who lost during the year 1919 or 1921; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BELL: A bill (H. R. 11708) granting a pension to John H. Hubbard; to the Committee on Invalid Pensions.

By Mr. BROOKS of Pennsylvania: A bill (H. R. 11709) granting a pension to Sarah J. Heilman; to the Committee on Invalid Pensions.

By Mr. BROWNE of Wisconsin: A bill (H. R. 11710) to make a preliminary survey of the Wolf and Fox Rivers, State of Wisconsin, with a view to the control of floods, and for other purposes; to the Committee on Flood Control.

By Mr. FESS: A bill (H. R. 11711) granting a pension to Mary E. Hart; to the Committee on Invalid Pensions.

By Mr. GOLDSBOROUGH: A bill (H. R. 11712) for the relief of Roland Webster; to the Committee on War Claims.

By Mr. KETCHAM: A bill (H. R. 11713) granting a pension to Alice Hadsell; to the Committee on Invalid Pensions.

By Mr. MILLER: A bill (H. R. 11714) granting a pension to Francis M. Meadows; to the Committee on Invalid Pensions.

By Mr. OLDFIELD: A bill (H. R. 11715) granting a pension to William D. Gibson; to the Committee on Pensions.

Also, a bill (H. R. 11716) granting an increase of pension to Mary C. Bowen; to the Committee on Invalid Pensions.

By Mr. SCOTT of Tennessee: A bill (H. R. 11717) granting an increase of pension to Brooklyn Hodges; to the Committee on Pensions.

By Mr. SEARS: A bill (H. R. 11718) granting a pension to Clara S. Schuler; to the Committee on Invalid Pensions.

By Mr. SNELL: A bill (H. R. 11719) granting an increase of pension to Ann Starkey; to the Committee on Invalid Pensions.

By Mr. STRONG of Pennsylvania: A bill (H. R. 11720) granting an increase of pension to Anna M. Miller; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5671. By the SPEAKER (by request): Resolutions adopted by the National Association of Builders' Exchanges at their last annual convention, relative to certain tax legislation; to the Committee on Ways and Means.

5672. Also (by request), resolutions adopted by the Presbytery of Boston, at Boston, Mass., indorsing H. R. 9753, to secure Sunday as a day of rest in the District of Columbia; to the Committee on the District of Columbia.

5673. Also (by request), resolutions adopted by the Presbytery of Boston, at Boston, Mass., indorsing House Joint Resolution 131, relative to polygamy and polygamous marriages in the United States; to the Committee on the Judiciary.

5674. Also (by request), resolutions adopted by the Presbytery of Boston, at Boston, Mass., indorsing Senate Joint Resolution 31, relative to regulating marriage and divorce in the United States; to the Committee on the Judiciary.

5675. By Mr. ANSORGE: Petition of the National Republican Club, New York City, congratulating President Harding upon his appeal to Congress to maintain a United States Navy strength of 86,000 men and favoring a minimum strength of 150,000 men for the United States Army; to the Committee on Appropriations.

5676. Also, petition of J. F. Bingham Lodge, No. 155, Brotherhood of Locomotive Firemen and Enginemen, indorsing H. R. 10798; to the Committee on Interstate and Foreign Commerce.

5677. By Mr. CANNON: Petition of citizens of Illinois, in behalf of an amendment to the Constitution prohibiting Congress from making appropriations for sectarian use; to the Committee on the Judiciary.

5678. Also, petition of citizens of Illinois, for an amendment to the Constitution to prohibit polygamy; to the Committee on the Judiciary.

5679. Also, petition of citizens of Illinois, praying for adoption of a constitutional amendment authorizing Congress to enact uniform laws on the subject of marriage and divorce; to the Committee on the Judiciary.

5680. Also, petition of citizens of Illinois, for adoption of H. R. 9753; to the Committee on the District of Columbia.

5681. By Mr. COOPER of Ohio: Petition of Mrs. Hattie J. Kamenetzsky and other residents of Youngstown, Ohio, urging the recognition of Palestine as the Jewish homeland; to the Committee on Foreign Affairs.

5682. By Mr. FULLER: Petition of the Salesman's Association of the American Chemical Industry, favoring a tariff based on American valuation; to the Committee on Ways and Means.

5683. By Mr. GRAHAM of Illinois: Petition of Mrs. Jennie G. Morgan and others, relative to Senate bill 3083; to the Committee on the District of Columbia.

5684. By Mr. JOHNSON of South Dakota: Resolutions adopted by the Presbytery of Huron at Madison, S. Dak., indorsing Senate Joint Resolution 31, relative to uniform laws on the subject of marriage and divorce; to the Committee on the Judiciary.

5685. Also, resolutions adopted by the Presbytery of Huron at Madison, S. Dak., relative to prohibiting polygamy and polygamous marriages in the United States; to the Committee on the Judiciary.

5686. Also, resolutions adopted by the Presbytery of Huron at Madison, S. Dak., indorsing House bill 9753 to secure Sunday as a day of rest in the District of Columbia; to the Committee on the District of Columbia.

5687. By Mr. KISSEL: Petition of the First National Bank, Louisville, Ky., relative to Senate bill 3255 and House bill 9527; to the Committee on Banking and Currency.

5688. Also, petition of the Metropolitan Dealers' Association, New York City, N. Y., favoring the Stephens-Kelly bill; to the Committee on Interstate and Foreign Commerce.

5689. By Mr. STAFFORD: Resolutions adopted by Milwaukee citizens at a mass meeting held at Plankinton Hall, Milwaukee, Wis., May 15, 1922; to the Committee on Interstate and Foreign Commerce.

5690. By Mr. STEENERSON: Petition of citizens of Minnesota, favoring the bill to prohibit the manufacture of filled milk; to the Committee on Agriculture.

5691. By Mr. STRONG of Kansas: Resolutions adopted by the Concordia Presbytery, United Presbyterian Church, at Manhattan, Kans., indorsing H. R. 9753, to secure Sunday as a day of rest in the District of Columbia; to the Committee on the District of Columbia.

5692. Also, resolutions adopted by the Concordia Presbytery, United Presbyterian Church, at Manhattan, Kans., indorsing Senate Joint Resolution 31, relative to regulating marriage and divorce in the United States; to the Committee on the Judiciary.

5693. Also, resolutions adopted by the Concordia Presbytery, United Presbyterian Church, at Manhattan, Kans., indorsing House Joint Resolution 131, relative to prohibiting polygamy and polygamous marriages in the United States; to the Committee on the Judiciary.

SENATE.

SATURDAY, May 20, 1922.

(Legislative day of Thursday, April 20, 1922.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MOSES in the chair). The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Frelinghuysen	McKinley	Shortridge
Ball	Glass	McLean	Simmons
Borah	Gooding	McNary	Smoot
Brandeggee	Hale	Moses	Spencer
Bursum	Harris	Myers	Sterling
Calder	Harrison	Nelson	Sutherland
Capper	Hefflin	New	Underwood
Caraway	Hitchcock	Newberry	Wadsworth
Colt	Johnson	Norbeck	Walsh, Mass.
Culberson	Jones, N. Mex.	Oddie	Walsh, Mont.
Curtis	Jones, Wash.	Overman	Watson, Ga.
Dial	Kendrick	Page	Watson, Ind.
Dillingham	Keyes	Pepper	Williams
Edge	Ladd	Pomerene	Willis
Ernst	Lenroot	Ransdell	
Fletcher	McCormick	Robinson	
France	McCumber	Sheppard	

Mr. DIAL. I wish to announce that my colleague [Mr. SMITH] is unavoidably absent. I ask that this announcement may continue through the day.

The PRESIDING OFFICER. Sixty-five Senators having answered to their names, a quorum is present.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhues, its enrolling clerk, announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Presiding Officer [Mr. MOSES] as Acting President of the Senate pro tempore:

S. 1162. An act declaring Lake George, Yazoo County, Miss., to be a nonnavigable stream;

H. R. 2193. An act to amend the act entitled "An act to prohibit the importation and use of opium for other than medicinal purposes," approved February 9, 1909, as amended; and

H. R. 11645. An act making an appropriation to enable the Department of Justice to investigate and prosecute war frauds.

PETITIONS AND MEMORIALS.

Mr. NELSON presented resolutions adopted by the Presbytery of Mankato, Presbyterian Church, at Edgerton, Minn., favoring amendments to the Constitution prohibiting polygamy and providing for uniform marriage and divorce laws, which were referred to the Committee on the Judiciary.

He also presented resolutions adopted by the Presbyteries of Duluth and Mankato, Presbyterian Church, at Edgerton, Minn., favoring the enactment of legislation providing for Sunday observance in the District of Columbia, which were referred to the Committee on the District of Columbia.

Mr. CAPPER presented a memorial of sundry dry-goods merchants of Salina, Kans., protesting against the proposed tariff duty on kid gloves, which was referred to the Committee on Finance.

He also presented resolutions adopted by the Shawnee Parent-Teachers' Association, of Shawnee, and the Park School Parent-Teachers' Association, of Kansas City, both in the State of Kansas, praying for the enactment of legislation creating a department of education, which were referred to the Committee on Education and Labor.

Mr. WILLIS presented the petition of Mrs. L. Jewell and sundry other citizens of Toledo, Ohio, praying that only a moderate duty be imposed on kid gloves in the pending tariff bill, which was referred to the Committee on Finance.

He also presented the memorial of C. S. Zigler and sundry other citizens of Delaware, Ohio, remonstrating against the enactment of legislation providing for compulsory Sunday observance in the District of Columbia, which was referred to the Committee on the District of Columbia.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McNARY:

A bill (S. 3628) authorizing the Secretary of the Interior to grant a patent of certain lands to Truman H. Ide; to the Committee on Public Lands and Surveys.

By Mr. CALDER:

A bill (S. 3629) granting relief to Red Cross nurses who served with the Army or Navy of the United States in the War with Spain or the Philippine insurrection; to the Committee on Pensions.

By Mr. WADSWORTH:

A bill (S. 3630) to amend an act entitled "An act to amend an act entitled 'An act for making further and more effectual provision for the national defense, and for other purposes,' approved June 3, 1916, and to establish military justice," approved June 4, 1920; to the Committee on Military Affairs.

TARIFF BILL AMENDMENT.

Mr. JOHNSON submitted an amendment intended to be proposed by him to House bill 7456, the tariff bill, which was referred to the Committee on Finance and ordered to be printed.

AMENDMENT TO HOUSE RIVER AND HARBOR BILL.

Mr. CALDER submitted an amendment providing for the improvement of Glen Cove Creek, Long Island, N. Y., intended to be proposed by him to the bill (H. R. 10766) authorizing appropriations for the prosecution and maintenance of public works on canals, rivers, and harbors, and for other purposes, which was referred to the Committee on Commerce and ordered to be printed.

AMENDMENT TO PENSION BILL.

Mr. CALDER submitted an amendment intended to be proposed by him to the bill (H. R. 4) granting relief to soldiers and sailors of the War with Spain, Philippine insurrection, and Chinese Boxer rebellion campaign; to widows, former widows, and dependent parents of such soldiers and sailors; and to certain Army nurses; which was ordered to lie on the table and to be printed.